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ABSTRACT

A description of the laws and orders that provide necessary legal authorization for civil defense activities is provided. In addition, an outline of the responsibilities of all governments and the role of the private sector in civil defense is presented. Topics discussed include: (1) Legal authority for civil defense, (2) Civil defense responsibilities of the Department of Defense and the Office of Emergency Preparedness, (3) Civil defense responsibilities of other federal agencies, (4) Office of Civil Defense Regions, (5) State civil defense responsibilities, (6) Local responsibilities, (7) The local Civil Defense Coordinator, and (8) Rural civil defense, (9) Overall civil defense requirements. A test is included. (CK)

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A Programmed Orientation to Civil Defense

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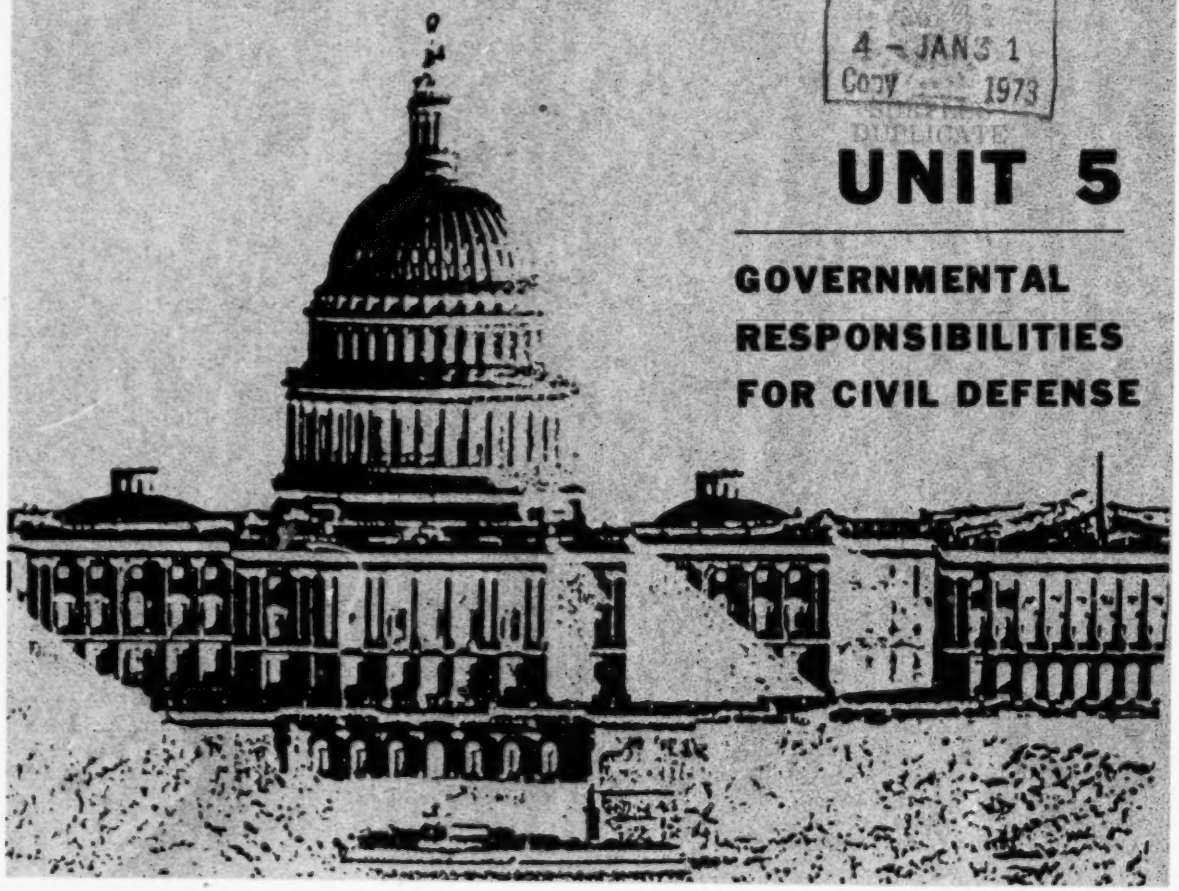
UNIT 5

GOVERNMENTAL RESPONSIBILITIES FOR CIVIL DEFENSE



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CIVIL DEFENSE, U. S. A.

UNIT 5

GOVERNMENTAL RESPONSIBILITIES FOR CIVIL DEFENSE

HS-6.5--June 1972

DEPARTMENT OF DEFENSE - DEFENSE CIVIL PREPAREDNESS AGENCY

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INTRODUCTION

Unit 5 Purpose: To describe the laws and orders that provide the necessary legal authorization for civil defense activities; to outline the responsibilities of all governments and the role of the private sector in civil defense.

Legislation and laws relating to civil defense date back to 1916 when the Council of National Defense was established by an Act of Congress. Immediately prior to and during World War II, extensive civil defense activity was authorized by Acts of Congress and Presidential Executive Orders, but the activity was abolished when peace was restored.

The Federal Civil Defense Act of 1950 marked the start of a major organized national effort in the field of civil defense. This Act has been followed by a number of Presidential Executive Orders and Reorganizations designed to sharpen the focus of, and strengthen, the civil defense program. One of these, Executive Order No. 10952 (1961), called for the reorganization of civil defense into its present form.

The laws and orders which deal with civil defense are important. They not only provide the necessary legal authorization for civil defense activities, but they also describe its overall goals and the responsibilities of all governments and agencies.

Under the democratic form of government which we have, our laws are what our citizens make them to be. Therefore, it is essential that you, as a citizen, understand the civil defense goals and governmental responsibilities outlined in the Federal Civil Defense Act and other legal documents. Then you may actively and intelligently participate in and influence this vital national program.

NOTE: Rest Break - After Frame 35.

LEGAL AUTHORITY FOR CIVIL DEFENSE

1. The article of legislation which provides the legal basis for today's civil defense is the Federal Civil Defense Act of 1950, Public Law 920, 81st Congress, as amended. The text of this Act is given in Panel 1, Page 25. Take 10 or 15 minutes to look over the provisions of the Act; note especially Sections 2, 3 (b), 201 (h) and (i), and 205. When you have finished, go on to the next frame.

---

24. Match the civil defense duty with the agency you think is responsible for it.

_____1. Department of the Interior	a. Provision of service by all communication facilities, aid in development of the Emergency Broadcast System.
_____2. General Services Administration (GSA)	b. Plans and programs to preserve and restore electric power, petroleum and gas, solid fuels, and minerals.
_____3. Federal Communications Commission (FCC)	c. Management and distribution of stockpiles and supplies for government agencies.
_____4. Department of Health, Education, and Welfare (DHEW)	d. Stockpiling of medical supplies; and health services.

---

47. The local civil defense coordinator is responsible for a great deal of program planning and preparation. Using Panel 5 (see 2:30 P.M.), you can see that this includes emergency readiness _____, the _____ of disaster plans, and providing for emergency support programs.

1a. Go on to the next frame.

24a. b 1.

c 2.

a 3.

d 4.

47a. planning (or plans)

testing

2. Using Panel 1, which one of the following is provided for by Section 2? (circle the correct one.)

(1) Definition of the term of civil defense.

(2) Financial contributions.

(3) Responsibility for civil defense to be vested jointly in the Federal Government and the states and their political subdivisions.

---

25. Let's review a few points about federal agency civil defense responsibilities delegated by Executive Order. The major civil defense responsibilities have been assigned to _____ and _____. In addition, three basic responsibilities have been assigned to _____ federal agencies. Also, selected federal agencies are given specific emergency tasks following the principle that *_____

_____

---

48. In addition to planning for emergencies, the local civil defense coordinator also has certain public relations and business duties. (Use Panel 5, 12:00 Noon). He must keep the public informed of civil defense activities with a _____ _____ program. To help with this, he must gain the support of local _____ _____. And to keep the civil defense effort on a sound financial basis, he must (see 3:30 and 4:30 P.M.) *_____

_____.

2a. (3) Responsibility for civil defense vested jointly in the Federal Government, the states and their political subdivisions.

25a. OCD (Office of Civil Defense)

OEP (Office of Emergency Preparedness)

all

*an agency receives emergency tasks which are closely related to its normal day-to-day functions

---

48a. public information

community leaders

*budget and secure funds

3. Look at Section 2 of Panel 1 again. Note that the Federal Government is to provide direction, coordination, and guidance. From this you can see that the responsibility for the operational implementation of civil defense is not with the Federal Government. The _____ and their political subdivisions are responsible for the actual _____ _____ of civil defense; the _____ Government provides _____, _____, and _____.

OFFICE OF CIVIL DEFENSE REGIONS

26. Look at Panel 4, Page 51. You can see that there are (#)_____ OCD Regions in the United States. Region #7, for example, covers five States: California, Nevada, Hawaii, _____, and _____. Using the legend at the bottom of the Panel, you can tell that the OCD Regional Headquarters Office for Region 7 is in _____, _____.

---

49. List at least five functions and responsibilities of a local civil defense coordinator (without the use of any aids).

(1) *_____

(2) *_____

(3) *_____

(4) *_____

(5) *_____

Others *_____

3a. states

operational implementation

Federal

direction)
) Any order
coordination)
)
guidance)

26a. 8

Utah)
) Either order
Arizona)

Santa Rosa, California

49a. You may have listed any five of the following:

(1) *Be responsible for all community shelters in his area.

(2) *Placement of shelter signs and licensing of shelters.

(3) *Recruitment and training of shelter managers, shelter staffs, and radiological personnel.

(4) *Inspection and testing of local warning systems.

(5) *EOC designation, planning, and operations.

(6) *Operational planning and testing for disaster.

(7) *Preattack supporting programs.

(8) *Attack readiness measures.

(9) *Emergency services.

(10) *Public education and civil defense education in the schools.

(11) *Gaining the support of local community leaders.

(12) *Budgeting and securing funds.

(NOTE: The civil defense coordinator is a busy person!!)

4. In Panel 1, Section 2, you noted that the responsibility for civil defense is vested _____ in the Federal Government and the states and their political subdivisions. This is important; it means that the _____, _____ and _____ governments must, by law, take equal responsibility for the development and maintenance of an effective _____ _____ program.

---

27. The Office of Civil Defense (OCD) has (#) _____ Regions. Now use Panel 4. The state in which you live is in OCD Region (#) _____. The Regional OCD Office for your area is in _____.

RURAL CIVIL DEFENSE

50. A major aspect of civil defense is the protection of livestock from fallout and the decontamination and subsequent use of crops following an attack. Clearly, the food supply following an attack is critical to the survival of our population. Rural civil defense is practiced on a county basis; therefore, the government chiefly responsible for it is the _____ _____.

4a. jointly

federal)
)
state) Any order
)
local)

civil defense

27a. 8

Check your answers.

50a. county government

5. A very important provision of the Federal Civil Defense Act of 1950 is that the responsibility for civil defense is vested *_____

_____

_____.

---

28. In order for the Office of Civil Defense (OCD) to give state and local governments effective emergency preparedness assistance, a coordination of the aid must be provided at or close to the site of operations. One of the general functions of an OCD Regional Office, as shown by the diagram at the right, is to provide this_____of assistance to the _____ and _____ jurisdictions.

---

51. Local farm associations and groups generally have a large influence over their members. Therefore, other organizations that should be involved in the development of rural survival plans are the *_____

_____.

5a. *<u>jointly</u> between the Federal Government and the states and their political subdivisions

---

28a. coordination

state)
) Either order
local)

51a. *local farm associations and groups

6. Using Panel 1, determine which of the following are provided for in Section 3. (Circle your answer(s), more than one may be correct.)

(1) The grant or loan of civil defense equipment to states.

(2) Civil defense measures to be taken in preparation for, during, and following an enemy attack.

(3) Financial contributions to states for civil defense personnel and administrative expenses.

(4) Definition of the purpose of civil defense.

---

29. OCD Regional Offices provide _____ in the field for *_____ _____.

---

52. The local organizations involved in rural civil defense are *_____ and * _____ _____. In addition, as you learned earlier, the federal agency which is involved with the methods and practices of food production also has national and local rural civil defense responsibilities--the Department of _____.

6a. (2) Civil defense measures to be taken in preparation for, during, and following an enemy attack.

(4) Definition of the purpose of civil defense.

29a. coordination

*OCD emergency preparedness assistance to state and local governments.

52a. *county government)
*local farm associations and groups) Either order
Agriculture

7. Use Panel 1. Which of the following are provided for in Sections 201 and 205? (Circle your answer(s). More than one may be correct.)

(1) A system of civil defense with responsibility vested jointly in the Federal Government and the states and their political subdivisions.

(2) Grants or loans of civil defense equipment to states.

(3) Financial contributions to states for civil defense materials and facilities.

(4) Financial contributions to states for civil defense personnel and administrative expenses.

---

30. One major general function of OCD Regional Offices is to

*_____

_____.

---

53. The three organizations involved in the development of rural civil defense and survival plans (other than OCD) are:

(1) *_____

(2) *_____

(3) *_____

7a. (2) Grants or loans of civil defense equipment to states.

(3) Financial contributions to states for civil defense materials and facilities.

(4) Financial contributions to states for civil defense personnel and administrative expenses.

30a. provide coordination in the field for OCD emergency preparedness assistance to state and local governments.

53a. *county government)
*Department of Agriculture) Any order
*local farm associations and groups)

8. Do not use any references. Which of the following are provided for in the Federal Civil Defense Act of 1950? (Circle each correct answer.)

(1) A system of civil defense with responsibility vested separately in the Federal Government and the states and their political subdivisions.

(2) A system of civil defense with responsibility vested jointly in the Federal Government and the states and their political subdivisions.

(3) A definition of the purpose of civil defense.

(4) Civil defense measures for the long-range rebuilding of society.

(5) Civil defense measures in preparation, during, and following an enemy attack.

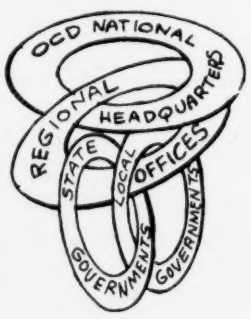
(6) Does not provide for any financial contributions to states.

(7) Financial contributions to states for civil defense personnel and administrative expenses.

(8) The grant or loan of civil defense equipment to states.

---

31. Just as the Regional Office for a corporation provides links between the central office and the distributors and salesmen, the OCD Regional Offices provide _____ between states, their political subdivisions, and the _____ National Headquarters in Washington, D.C.



OVERALL CIVIL DEFENSE REQUIREMENTS

54. At this point you have learned the functions and responsibilities for civil defense of the federal, state, and local governments. Now things can be tied up in a more general context. In the next few frames we will discuss overall requirements for civil defense preparedness by all governments.

8a. You should have circled:

(2) A system of civil defense with responsibility vested jointly in the Federal Government and the states and their political subdivisions.

(3) A definition of the purpose of civil defense.

(5) Civil defense measures in preparation, during, and following an enemy attack.

(7) Financial contributions to states for civil defense personnel and administrative expenses.

(8) The grant or loan of civil defense equipment to states.

If you wish to spend more time reading this Act, feel free to do so. However, it would be best to wait until you are through with the program.

31a. links

OCD (Office of Civil Defense)

54a. Go on to the next frame.

CIVIL DEFENSE RESPONSIBILITIES OF THE DEPARTMENT OF DEFENSE
AND THE
OFFICE OF EMERGENCY PREPAREDNESS

9. Specific responsibilities for the civil defense program are assigned to the Secretary of Defense and the Director of the Office of Emergency Preparedness by Executive Order 10952, provided as Panel 2, Page 45. Take five minutes or so to look through this Presidential Executive Order, paying particular attention to the responsibilities assigned.

---

32. Two general functions of OCD Regional Offices are:

(1) *_____

_____

(2) *_____

_____

---

55. Civil defense in the Federal Government requires participation of all agencies and departments through Executive Orders. Effective state civil defense preparedness requires the cooperation of the state welfare department, state police, etc. Local civil defense requires the participation of the police, fire, health, welfare, and other local government departments. Civil defense preparedness, then, requires full use of *_____

_____.

9a. Go on to the next frame.

32a. *provide links between states, their political subdivisions, and the OCD National Headquarters in Washington, D. C.
*provide coordination in the field for OCD emergency preparedness assistance to state and local governments.

Either order

55a. *existing governmental agencies and departments (or existing government)

10. Panel 3, Page 49, illustrates responsibilities delegated to the Secretary of Defense by Executive Order 10952 (which you read in Panel 2). Briefly write the responsibility depicted by each drawing. You may use Panel 2 to help you (Section 1, a and b). Not all responsibilities are illustrated, and one diagram includes two responsibilities.

(1) *_____
(2) *_____
(3) *_____
(4) *_____
(5) *_____
(6) *_____
(7) *_____

---

33. An important function of the Director of an OCD Regional Office is to maintain contact with representatives of all federal and military agencies concerned with civil defense which are located within the states of his Region. This is facilitated by the establishment of a Regional Civil Defense Coordinating Board that is composed of these representatives of all *_____ _____concerned with_____ _____.

---

56. The issuance of Presidential Executive Orders and of understandings and directives by state and local governments indicate that preparedness for civil defense makes full use of *_____ _____.

10a. You should have something like the following:

(1) *Chemical, biological, and radiological warfare defense program.

(2) *Postattack emergency assistance to state and local governments.

(3) *Programs for financial contributions to states for civil defense.

(4) *Fallout shelter program.

(5) *Arrangements for postattack donation of federal surplus property.

(6) *Development of a communications and warning system.

(7) *Plans and systems for nationwide postattack damage and resource assessment.

If you wish to spend more time looking through this key Executive Order, feel free to do so. However, it would be best to wait until you are through with the program.

33a. *federal and military agencies

civil defense

56a. *existing government (or all levels of existing government)

11. Can you, without using any aids, now write four of the seven general functions delegated to the Secretary of Defense by Executive Order 10952?

(1) *_____

(2) *_____

(3) *_____

(4) *_____

---

34. Just as a city council may advise and assist a Mayor with his duties, the Regional Civil Defense Coordinating Boards also may _____ and _____ the OCD Regional Directors by making known the needs of their agencies and helping to devise and implement civil defense plans and operations.

---

57. As we have noted in other units in this course, the major responsibility for civil defense, then, is borne by existing federal, state, and local government personnel. However, in time of emergency, personnel from the private sector will be needed to supplement and complement these governmental personnel. Thus, local governments, for example, in a disaster situation will need selected organizations and individuals from the private sector to

*_____

_____.

11a. You should have at least <u>four</u> of the following (in any order):

(1) *Fallout shelter program.

(2) *Chemical, biological, and radiological warfare defense program.

(3) *Development of a communications and warning system.

(4) *Postattack emergency assistance to state and local governments.

(5) *Programs for financial contributions to states for civil defense.

(6) *Plans and systems for nationwide postattack damage and resource assessment.

(7) *Arrangements for postattack donation of federal surplus property.

34a. advise)
) Either order
assist)

57a. *to assist local government personnel in the performance of emergency tasks.

12. As was pointed out at the beginning of Unit 1 and again in Frame 9 of this unit, Executive Order 10952 also assigned specific civil defense responsibilities to the Office of Emergency Preparedness (OEP), located in the Executive Office of the President. At this time, review Panel 2, Section 2, Page 47, which outlines the civil defense functions of OEP. The point to be remembered here is that two agencies, the Department of Defense and OEP, have the major _____ _____ responsibilities within the Federal Government, and these are the agencies which bring federal emergency guidance and assistance to your local community.

---

35. Which of the following statements about Regional Civil Defense Coordinating Boards are true? (Circle your answer(s); may be more than one.)

    (1) They advise and assist the state Governors.

    (2) They consist of state and local civil defense directors.

    (3) They advise and assist the Regional OCD Directors.

    (4) They consist of representatives of all federal and military agencies concerned with civil defense.

---

58. Two elements necessary for civil defense preparedness are use of:

    (1)_____ government; and

    (2) *_____

    _____

    _____.

12a. civil defense

35a. (3) They advise and assist the Regional OCD Directors.

(4) They consist of representatives of all federal and military agencies concerned with civil defense.

THIS IS A GOOD TIME TO TAKE A SHORT BREAK.

58a. existing

*individuals and organizations from the private sector to assist government personnel with emergency tasks.

13. The civil defense responsibilities of the Department of Defense were redelegated to the Office of Civil Defense (OCD) within the Department of Defense. Therefore, the major civil defense responsibilities within the Federal Government are carried by the *_____ and *_____.

STATE CIVIL DEFENSE RESPONSIBILITIES

36. The two major phases of a civil defense system are its establishment and operation. The Federal Government is responsible for the planning and development of the overall system, that is, the _____ of a national civil defense system. The state and local governments actually run the programs; they are responsible for _____ of the civil defense system within their jurisdictions.

---

59. A major doctrine of the original thirteen colonies was "cooperation for mutual protection." This is especially true today of civil defense. Emergency preparedness requires "cooperation for mutual protection" by the _____ and _____ sectors of our nation.

13a. *Office of Civil Defense (OCD))
) Either order
*Office of Emergency Preparedness (OEP))

36a. establishment

operation

59a. public (or government))
) Either order
private)

14. Since both the Office of Civil Defense (OCD) and the Office of Emergency Preparedness (OEP) have major civil defense responsibilities, a close working relationship between the two agencies is essential. They must work together in the task of preparing the nation for the problems associated with a nuclear attack. Operationally then, at the state and local levels, this means that OCD and OEP must be closely coordinated as they function together to assist the <u>one</u> emergency preparedness system possessed by the various _____ and _____ governments.

---

37. From what you have learned, you can see that the establishment of a civil defense system is the primary responsibility of the _____ Government. However, the operation of the system is the primary responsibility of the _____ and _____ governments.

---

60. During Revolutionary times, author John Dickinson wrote, "By uniting, we stand; by dividing, we fall." We have just learned a modern version of this principle which states that civil defense preparedness requires cooperation of *_____ _____of the United States.

14a. state)
) Either order
local)

37a. Federal

state)
) Either order
local)

60a. *both the governmental (or public) and private sectors.

15. What operational fact at the state and local levels requires close coordination between OCD and OEP as they both assist state and local jurisdictions with emergency preparedness for nuclear attack?

*_____

_____

_____

---

38. The Governor of each state, under the state's Civil Defense Act, has general responsibility for _____ _____, or emergency preparedness activities, in his state.

---

61. You have learned the roles which the federal, state, and local governments play in civil defense. You have also learned that the private sector must assist the governments. But one additional major element needs to be emphasized--the role of all of the individual citizens, not as emergency workers but as citizens. The police departments and FBI have been effective in preventing extensive crime because people know and support the protective measures they take. Similarly, civil defense preparedness can only be effective if *_____

_____.

15a. *Each state and local jurisdiction has only <u>one</u> emergency preparedness system and the two federal agencies both assist that one system.

38a. civil defense

61a. *individuals know and support the protective measures taken

16. The Office of Emergency Preparedness (OEP) also has the major responsibility within the Federal Government for assistance to local governments in natural disaster situations. Recently OEP extended its working relationship with the Office of Civil Defense (OCD) to include more than nuclear disasters by requesting that OCD undertake certain tasks related to local government preparedness for major natural disasters. The following tasks were accepted by OCD:

(a) promoting the growth or development of local government organizations and plans for coping with major disasters; and,

(b) providing advice and guidance to local governments on organization and preparedness to meet the effects of major disasters.

Again the point to remember is that OCD and OEP work together to assist state and local governments in coping with both _____ and _____ _____.

---

39. Although the Governor is responsible for civil defense, which is to say the emergency preparedness activities, in his state, he is aided by his government. Each state government must provide direction and coordination for the _____ _____ activities of the _____ and its political _____.

---

62. Though the requirements for civil defense preparedness by all levels of government and the private sector are met, none of them can be completely effective unless *

_____
_____
_____
_____
_____.

16a. nuclear)
) Either order
natural)

disasters

39a. civil defense (or emergency preparedness)

state

subdivisions

62a. *individuals are aware of and support the protective measures taken.

17. To summarize, the two agencies within the Federal Government which have major responsibility for bringing federal assistance with emergency planning and operations to your local community are _____ and _____.

What types of disasters are included in this assistance?_____

_____

---

40. The Governors and state governments play a major role in the civil defense of our country. The Governor of each state is responsible for *_____

_____,

and each state government directs and coordinates *_____

_____.

SUMMARY

63. Recall that, by law, the responsibility for civil defense was vested jointly in the Federal Government and the states and their political subdivisions. From what you have learned, you can see that the major role of the Federal Government in civil defense is that of: (Circle one.)

(1) Directing all civil defense activities.

(2) Providing all the money and equipment required.

(3) Providing coordination, guidance, and assistance as necessary.

17a. Office of Civil Defense (OCD))
Office of Emergency Preparedness (OEP)) Either order

nuclear and natural disasters (either order)

40a. *civil defense (or emergency preparedness) activities in his state

*the civil defense (or emergency preparedness) activities of the state and its political subdivisions

---

63a. (3) Providing coordination, guidance, and assistance as necessary

CIVIL DEFENSE RESPONSIBILITIES OF OTHER FEDERAL AGENCIES

18. You have learned the responsibilities for civil defense delegated to the Secretary of Defense and the Office of Emergency Preparedness by Presidential Executive Order. Responsibilities for civil defense have also been delegated to all other federal agencies by similar _____ _____.

LOCAL RESPONSIBILITIES

41. State civil defense is established according to state laws and policies administered by the state head of government, i.e., the Governor. Local governments must operate according to both state and local laws and policies. Thus, civil defense in local governments must be established according to _____ and _____ laws and policies administered by the local *_____ _____, e.g., the Mayor.

---

64. The most important and vital civil defense actions must be taken by the governments that will have primary operational responsibility in time of emergency, which are the _____ and _____ governments.

18a. Executive Orders

41a. state)
) Either order
local)

*head of government

64a. state)
) Either order
local)

19. Three basic overall responsibilities for civil defense have been delegated to <u>all</u> federal agencies by Executive Order. They are to:

(a) make available their personnel to the states for training purposes.

(b) develop civil defense plans for use of their personnel, materials and services in aid of the states during an emergency.

(c) perform civil defense functions assigned to them in emergency preparedness Executive Orders.

The Department of Agriculture is stockpiling food in preparation for a possible national emergency. This is done on the basis of which of the above responsibilities?_____

_____

---

42. Organized civil defense of the <u>local</u> government is established according to *_____
administered by *_____.

---

65. Governments can plan and prepare for emergencies, but the ultimate responsibility for saving lives must be borne by those whose lives will be saved--the people themselves. You have learned that the people must be aware of the protective and defensive measures taken by their governments, but they also must be prepared by knowing what they are to do in an emergency, being able to do it, and then doing it. All governmental civil defense efforts will fail unless people *_____
_____.

19a. (c) perform civil defense functions assigned to them in emergency preparedness Executive Orders.

42a. *state and local laws and policies

*local heads of government

65a. *know what to do in the event of an emergency, are able to do it, and then do it.

20. Let's consider an example of federal agency response to these delegations. The Department of Commerce has a plan for making its personnel available to states to establish control of interstate commerce in an emergency. To which of the following basic civil defense responsibilities of federal agencies is the Department of Commerce responding? (Circle your answer.)

(1) Develop civil defense plans for use of their personnel, materials, and services in aid of the states during an emergency.

(2) Make available their personnel to the states for training purposes.

(3) Perform civil defense functions assigned to them in emergency preparedness Executive Orders.

---

43. From the foregoing discussion of federal, state, and local civil defense, it is clear that: (Circle the best response.)

(1) Civil defense is a special organization which functions only in emergencies.

(2) Civil defense is a small branch of government.

(3) Civil defense is existing government preparing for and operating in emergencies.

---

66. In your own words, summarize the responsibilities of the federal, state, and local governments and of each individual for civil defense.

*_____

_____

_____

20a. (1) Develop civil defense plans for use of their personnel, materials, and services in aid of the states during an emergency.

43a. (3) civil defense is existing government preparing for and operating in emergency

---

66a. You should have something like the following:

*The Federal Government must provide coordination, guidance, and support to civil defense efforts.

*The state and local governments must take direct action to prepare civil defense plans and conduct operations in the event of an emergency.

*Each individual must know of the protective measures being taken by his governments, must know what to do in an emergency, and be personally prepared to do it.

21. Consider another example. If the Federal Aviation Agency assigns some of its personnel to selected states for civil defense training, to which responsibility below is that agency responding? (Circle your answer.)

(a) Make available their personnel to the states for training purposes.

(b) Develop civil defense plans for use of their personnel, materials, and services in aid of the states during an emergency.

(c) Perform civil defense functions assigned to them in emergency preparedness Executive Orders.

THE LOCAL CIVIL DEFENSE COORDINATOR

44. The local civil defense coordinator, usually appointed by the local governing body, implements the civil defense programs in his local jurisdiction. His job includes a number of specific functions and responsibilities. It is worthwhile for you to be familiar with some of them. A hypothetical day in the life of a local civil defense coordinator, including a number of his functions and responsibilities, is given in Panel 5. Read this Panel, then go on to the next frame.

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67. You have now completed this programmed instruction on civil defense.

Hopefully, this course will serve as the beginning of your interest in and study of civil defense.

The main theme or message which summarizes this material is that civil defense is an integral part of the overall defense posture of the United States. Implementation is the responsibility of government, and government depends greatly on the cooperation of all citizens.

With the knowledge which you have gained, you can better perform your civil defense function and participate more in assisting your jurisdiction to carry out its program.

21a. (1) Make available their personnel to the states for training purposes.

44a. Go on to the next frame.

67a. END OF UNIT 5

Take a rest break, and then turn to the Unit 5 test, page 55.

22. Circle the three basic responsibilities of all federal agencies delegated by Executive Order.

(1) Maintain an in-house capability for defense after an attack.

(2) Perform civil defense functions assigned to them in emergency preparedness Executive Orders.

(3) Perform all operations as assigned by the Secretary of Defense.

(4) Make available their personnel to the states for training purposes.

(5) Train their own personnel.

(6) Develop civil defense plans for use of their personnel, materials, and services in the aid of the states during an emergency.

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45. The local civil defense coordinator implements the nationwide shelter program in his community. (See Panel 5, 9:00 and 10:00 A.M.) Specifically, he is responsible for all the community _____ in his area, and for the licensing and _____ of shelters. Because all shelters must be staffed and people must be available for emergency duty, he recruits and _____ for such positions as *_____

_____.

22a. (2) Perform civil defense functions assigned to them in emergency preparedness Executive Orders.

(4) Make available their personnel to the states for training purposes.

(6) Develop civil defense plans for use of their personnel, materials, and services in the aid of the states during an emergency.

45a. shelters

marking

trains

*shelter manager, shelter staff, and radiological personnel

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23. As we have just seen, one of the basic responsibilities of all federal agencies is that of performing specific civil defense functions which are assigned to them in emergency preparedness Executive Orders. In these specific assignments an agency receives those emergency tasks which it is the best qualified to perform, because the tasks are most closely related to that agency's normal peacetime function. Thus, the stockpiling of food and plans for agricultural recovery are the responsibility of the Department of _____.

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46. A protected site for direction and control purposes is needed by every local (as well as state and federal) government in the event of an emergency. One function of the local civil defense coordinator is to secure designation of an (See Panel 5, 11:00 A.M.) _____ _____ _____, as well as the required _____ and _____ _____ for its use. To ensure that everyone in his area will be adequately warned of an attack, he is responsible for the inspection and _____ of the local *_____.

23a. Agriculture

(Return to the beginning of Unit 5 and continue with Frame 24.)

46a. Emergency Operating Center

plans

operating procedures

testing

*warning system

(Return to the beginning of Unit 5 and continue with Frame 47.)

PANEL 1

THE FEDERAL CIVIL DEFENSE ACT OF 1950, AS AMENDED

Public Law 920—81st Congress
(50 USC App. 2251-2297)

Act of January 12, 1951, c. 1228, 64 Stat. 1245-1257, as amended by 66 Stat. 13, 66 Stat. 158, 68 Stat. 170, 69 Stat. 180, 70 Stat. 949, 72 Stat. 356, 72 Stat. 532-535, 75 Stat. 630, 76 Stat. 111, 78 Stat. 231, 78 Stat. 494-495, 80 Stat. 235, 82 Stat. 175, 84 Stat. 367

DEPARTMENT OF DEFENSE
OFFICE OF CIVIL DEFENSE

The Federal Civil Defense Act of 1950, as amended

AN ACT

To authorize a Federal civil defense program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Civil Defense Act of 1950". 64 Stat. 1245.

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* *Explanatory Note:* Except as specifically set out in the footnotes hereof all functions of the Federal Civil Defense Administration and of the Federal Civil Defense Administrator, under the Federal Civil Defense Act of 1950, as amended, were transferred to the President by Reorganization Plan No. 1 of 1958 (72 Stat. 1799–1801; 23 F.R. 4991; 3 CFR, 1954–1958 Comp., p. 447). Pursuant to Executive Order 10952 of July 20, 1961 (26 F.R. 6577; 3 CFR, 1961 Supp., p. 117), as amended, major civil defense responsibilities were assigned to the Secretary of Defense. An asterisk (*) has been used throughout the following text of the Act, as amended, to denote the textual provisions of the Act affected by the reorganization plan.

[1] Public Law 85-606, approved August 8, 1958, added section 205 (72 Stat. 533) to Title II of the Act. The section carried no descriptive title. However, this has been inserted in this edition of the text.

TITLE IV—GENERAL PROVISIONS

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Sec. 410.—Atomic Energy Act of 1946.
Sec. 411.—Federal Bureau of Investigation.
Sec. 412.—Separability.
Sec. 413.—Applicability of Reorganization Plan Numbered 1.

DECLARATION OF POLICY

50 USC App. 2251.
64 Stat. 1246;
72 Stat. 532.

Sec. 2.—It is the sense of the Congress that the defense of the United States, in this thermonuclear age, can best be accomplished by enacting into law the measures set forth in this Act. It is the policy and intent of Congress to provide a system of civil defense for the protection of life and property in the United States from attack. It is further declared to be the policy and intent of the Congress that the responsibility for civil defense shall be vested jointly in the Federal Government and the several States and their political subdivisions. The Federal Government shall provide necessary direction, coordination, and guidance; shall be responsible for the operation of the Federal Civil Defense Administration* as set forth in this Act; and shall provide necessary assistance as herein authorized.[2]

DEFINITIONS

Sec. 3.—As used in this Act—

50 USC App.2252.
64 Stat. 1246.

(a) The term "attack" means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes;

64 Stat. 1246, 1247.

(b) The term "civil defense" means all these activities and measures designed or undertaken (1) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (2) to deal with the immediate emergency conditions which would be created by any such attack, and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (A) measures to be taken in preparation for anticipated attack (including the establishment of appropriate organizations, operational plans, and supporting agreements; the recruitment and training of personnel; the conduct of research; the pro-

[2] Public Law 85-606, approved August 8, 1958 (72 Stat. 532), amended section 2 of the original Act by striking it out in its entirety and substituting, in lieu thereof, the language of the text as printed herein.

curement and stockpiling of necessary materials and supplies; the provision of suitable warning systems; the construction or preparation of shelters, shelter areas, and control centers; and, when appropriate, the non-military evacuation of civil population); (B) measures to be taken during attack (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communications); and (C) measures to be taken following attack (including activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance; essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities); 64 Stat. 1247.

(c) The term "organizational equipment" means equipment determined by the Administrator* to be (1) necessary to a civil defense organization, as distinguished from personal equipment, and (2) of such a type or nature as to require it to be financed in whole or in part by the Federal Government. It shall not be construed to include those items which the local community normally utilizes in combating local disasters except when required in unusual quantities dictated by the requirements of the civil defense plans; 64 Stat. 1247.

(d) The word "materials" shall include raw materials, supplies, medicines, equipment, component parts and technical information and processes necessary for civil defense; 64 Stat. 1247.

(e) The word "facilities," except as otherwise provided in this Act, shall include buildings, shelters, utilities, and land; 64 Stat. 1247.

(f) The term "United States" or "States" shall include the several States, the District of Columbia, the Territories, and the possessions of the United States; and 64 Stat. 1247.

(g) The term "neighboring countries" shall include Canada and Mexico. 64 Stat. 1247.

TITLE I—ORGANIZATION

Federal Civil Defense Administration*

Sec. 101.—(a) There is hereby established in the executive branch of the Government a Federal Civil Defense Administration* (hereinafter referred to as the "Administration") at the head of which shall be a Federal Civil Defense Administrator* appointed from civilian life by the President, by and with the advice and consent of the Senate. The Federal Civil Defense Administrator* (hereinafter referred to as the "Administrator") shall receive compensation at the rate of $17,500 [3] per year. 50 USC App. 2271. 64 Stat. 1247.

(b) There shall be in the Administration* a Deputy Administrator* who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $16,000 [3] per year. The Deputy Administrator* shall perform such functions 64 Stat. 1247.

[3] The Office of Administrator and the Office of Deputy Administrator created by Section 101(b) were abolished by section 6 of Reorganization Plan No. 1 of 1958 (see FCDG, Part B, Chapter 1, Appendix 2). Section 2 of said Reorganization Plan consolidated the Federal Civil Defense Administration and the Office of Defense Mobilization to form a new agency in the Executive Office of the President, which agency is now known as the Office of Emergency Preparedness. The compensation of the Director of Civil Defense is now governed by the provisions of 5 U.S.C. 5315(29).

as the Administrator* shall prescribe and shall act for, and exercise the powers and perform the duties of, the Administrator* during his absence or disability.

64 Stat. 1247. (c) The Administrator* shall perform his functions subject to the direction and control of the President.

Civil Defense Advisory Council

50 USC App. 2272. 64 Stat. 1247, 1248. **Sec. 102.**—(a) There is hereby created a Civil Defense Advisory Council,[4] hereinafter referred to as the Council, which shall advise and consult with the Administrator* with respect to general or basic policy matters relating to civil defense. The Council shall consist of the Administrator,* who shall be chairman, and twelve additional members to be appointed by the President, of

64 Stat. 1248. whom three members shall be representative of the State governments, three members shall be representative of the political subdivisions of the States and the remaining members shall be selected among the citizens of the United States of broad and varied experience in matters affecting the public interest, other than officers and employees of the United States (including any department or agency of the United States) who, as such, regularly receive compensation for current services. The following organizations shall be invited to establish panels of names for the members representative of the States and the political subdivisions thereof:

The Council of State Governments.

The Governor's Conference.

The American Municipal Association.[5]

The United States Conference of Mayors.

The representatives of the States and the political subdivisions thereof appointed by the President shall be selected from the panels established by the above-mentioned organizations. Not more than a majority of two of the members shall be appointed to the Council from the same political party. Each member shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of the enactment of this Act shall expire, as designated by the President at the time of appointment, four at the end of one year, four at the end of two years and four at the end of three years, after the date of the enactment of this Act. The Council shall meet at least once in each calendar year and at such other times as the Administrator* shall determine that its advice and counsel will be of assistance to the program.

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[4] The Civil Defense Advisory Council, together with its functions, were transferred to the Office of Defense and Civilian Mobilization by section 5 of Reorganization Plan No. 1 of 1958. All other functions of the Federal Civil Defense Administrator and the Federal Civil Defense Administration under the provisions of the Federal Civil Defense Act of 1950, as amended, were vested in the President under the Reorganization Plan. The name of the agency was later changed to the Office of Civil and Defense Mobilization by Public Law 87-763 (75 Stat. 861), and again to the Office of Emergency Planning by Public Law 87-296 (75 Stat. 630). The name was again changed to the Office of Emergency Preparedness by Section 402 of Public Law 90-608 (82 Stat. 1194). The Council remains as an element of the Office of Emergency Preparedness, chaired by the Director thereof.

[5] This organization is now named the National League of Cities.

(b) The Administrator* may appoint such other advisory committees as are deemed necessary. 64 Stat. 1248.

(c) The members of the Council and the members of any other advisory committees, other than the Administrator,* may be compensated at rates not in excess of those prescribed in section 401(b) of this Act. 64 Stat. 1248.

TITLE II—POWERS AND DUTIES

Detailed Functions of Administration*

Sec. 201.—The Administrator* is authorized, in order to carry out the above-mentioned purposes, to— 50 USC App. 2281.

(a) prepare national plans and programs for the civil defense of the United States, making such use of plans and programs previously initiated by the National Security Resources Board as is feasible; sponsor and direct such plans and programs; and request such reports on State plans and operations for civil defense as may be necessary to keep the President, the Congress and the several States advised of the status of civil defense in the United States; 64 Stat. 1248.

(b) delegate, with the approval of the President, to the several departments and agencies of the Federal Government appropriate civil defense responsibilities, and review and coordinate the civil defense activities of the departments and agencies with each other and with the activities of the States and neighboring countries; 64 Stat. 1248.

(c) make appropriate provision for necessary civil defense communications and for dissemination of warnings of enemy attacks to the civilian population; 64 Stat. 1248.

(d) study and develop civil defense measures designed to afford adequate protection of life and property, including, but not limited to, research and studies as to the best methods of treating the effects of attacks; developing shelter designs and materials for protective covering or construction; and developing equipment or facilities and effecting the standardization thereof to meet civil defense requirements; 64 Stat. 1248. 64 Stat. 1249.

(e) conduct or arrange, by contract or otherwise, for training programs for the instruction of civil defense officials and other persons in the organization, operation, and techniques of civil defense; conduct or operate schools or classes, including the payment of travel expenses, in accordance with the Travel Expenses Act of 1949, as amended, and the Standardized Government Travel Regulations, and per diem allowances, in lieu of subsistence for trainees in attendance or the furnishing of subsistence and quarters for trainees and instructors [6] on terms prescribed by the Administrator*; and provide instructors and training aids as deemed necessary: *Provided*, That the terms prescribed by 64 Stat. 1249; 66 Stat. 158; 70 Stat. 949; 72 Stat. 532. 70 Stat. 949.

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[6] Public Law 928, 84th Congress, approved August 2, 1956 (70 Stat. 949), amended subsection (e) to authorize the Administrator to pay travel expenses and per diem allowances in lieu of subsistence for trainees in attendance or the furnishing of subsistence and quarters for trainees and instructors. Section 2 of the same Act authorized the appropriation of not to exceed $100,000 annually for these purposes. Section 6 of Public Law 85-606 (72 Stat. 534), amending section 408 of the Federal Civil Defense Act of 1950, raised this limitation by providing that "appropriations for the payment of travel and per diem expenses for students under section 201(e) shall not exceed $300,000 per annum."

the Administrator* for the payment of travel expenses and per diem allowances authorized by this subsection shall include a provision that such payment shall not exceed one-half of the total cost of such expenses: *Provided further*, That the authority to pay travel and per diem expenses of students as authorized by this subsection shall terminate on June 30, 1972:[7] *Provided further*,[8] That not more than one national civil defense college and three civil defense technical training schools shall be established under the authority of this subsection: *Provided further*, That the Administrator* is authorized to lease real property required for the purpose of carrying out the provisions of this subsection, but shall not acquire fee title to property unless specifically authorized by Act of Congress;[9]

72 Stat. 532.
72 Stat. 532.
78 Stat. 231.
82 Stat. 175.
66 Stat. 158.

(f) publicly disseminate appropriate civil defense information by all appropriate means;

64 Stat. 1249.

(g) assist and encourage the States to negotiate and enter into interstate civil defense compacts; review the terms and conditions of such proposed compacts in order to assist to the extent feasible in obtaining uniformity therein and consistency with the national civil defense plans and programs; assist and coordinate the activities thereunder; aid and assist in encouraging reciprocal civil defense legislation by the States which will permit the furnishing of mutual aid for civil defense purposes in the event of an attack which cannot be adequately met or controlled by a State or political subdivision thereof threatened with or undergoing an attack: *Provided*, That a copy of each such civil defense compact shall be transmitted promptly to the Senate and the House of Representatives. The consent of the Congress shall be granted to each such compact, upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which the compact is transmitted to it; but only if, between the date of transmittal and expiration of such sixty-day period, there has not been passed a concurrent resolution stating in substance that the Congress does not approve the compact: *Provided*, That nothing in this subsection shall be construed as preventing Congress from withdrawing at any time its consent to any such compact;

64 Stat. 1249.

64 Stat. 1249.

(h) procure by condemnation or otherwise, construct, lease, transport, store, maintain, renovate or distribute materials and facilities for civil defense, with the right to take immediate possession thereof: *Provided*, That facilities acquired by purchase, donation, or other means of transfer may be occupied, used, and improved for the purposes of this Act, prior to the approval of title by the Attorney General as required by section 355 of the Revised Statutes, as amended (40 U.S.C. 255): *Provided further*, That the Administrator* shall report not less often than quarterly to the Congress all property acquisitions

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[7] Section 3(a)(2) of Public Law 85-606 (72 Stat. 532), approved August 8, 1958, added the provisos that the terms prescribed by the Administrator for the payment of travel expenses and per diem allowances should not exceed one-half of the total cost of such expenses and that the authority of the Administrator under section 201(e) to pay travel and per diem expenses of students would terminate on June 30, 1964. Public Law 88-335 (78 Stat. 231) extended the date to June 30, 1968. Public Law 90-336 further extended the date to June 30, 1972 (82 Stat. 175).

[8] Words "Provided further" inserted in lieu of word "Provided" by section 3(a)(1) of Public Law 85-606 (72 Stat. 532).

[9] Amendment by Public Law 412, 82nd Congress, approved June 25, 1952 (66 Stat. 158), gave the Administrator authority to lease real property but not to acquire fee title under this subsection (e). See also footnote 10, *infra*.

made pursuant to this subsection: *Provided further*, That the Administrator* is authorized to lease real property required for the purpose of carrying out the provisions of this subsection, but shall not acquire fee title to property unless specifically authorized by Act of Congress:[10] *Provided further*, That until June 30, 1972, the Administrator* is authorized to procure and maintain under this subsection radiological instruments and detection devices, protective masks, and gas detection kits, and distribute the same by loan or grant to the States for civil defense purposes, under such terms and conditions as the Administrator* shall prescribe.[11]

66 Stat. 158.
72 Stat. 532.
78 Stat. 231.
82 Stat. 175.

(i) make financial contributions, on the basis of programs or projects approved by the Administrator*, to the States for civil defense purposes, including, but not limited to the, procurement, construction, leasing, or renovating of materials and facilities. Such contributions shall be made on such terms or conditions as the Administrator* shall prescribe, including, but not limited to, the method of purchase, the quantity, quality, or specifications of the materials or facilities, and such other factors or care or treatment to assure the uniformity, availability, and good condition of such materials or facilities: *Provided*, That no contributions shall be made for the procurement of land: *Provided further*, That retroactive financial contributions which were otherwise approvable, approved and made to the States prior to June 30, 1960, to carry out the purposes of this subsection are hereby ratified and affirmed.[12] *Provided further*, That after June 30, 1964, no contribution shall be made for the purchase of personal equipment for State or local civil defense workers:[13] *Provided further*, That the amounts authorized to be contributed by the Administrator* to each State for organizational equipment shall be equally matched by such State from any source it determines is consistent with its laws: *Provided further*, That financial contributions to the States for shelters and other protective facilities shall be determined by taking the amount of funds appropriated or available to the Administrator* for such facilities in each fiscal year and apportioning same among the States in the ratio which the urban population of the critical target areas (as determined by the Adminis-

64 Stat. 1249–1251.
64 Stat. 1250.
72 Stat. 532.
75 Stat. 820.
72 Stat. 532.

[10] Amendment by Public Law 412 (66 Stat. 158), gave the Administrator authority to lease real property but not to acquire fee title under this subsection (h). Prior to enactment of the amendment, the Administrator could acquire any interest in land, including fee title, but after June 30, 1952, specific authorization would have been required. Furthermore, under the provisions of the Act of August 10, 1956, c. 1041, section 43, 84th Congress, approved August 10, 1956 (70A Stat. 636), as amended by Public Law 86–500, 74 Stat. 187 (50 U.S.C. App. 2285), certain real estate transactions may not be entered into until after the expiration of thirty days from the date of making a factual report on the transactions to the Committees on Armed Services of the Senate and the House of Representatives.

[11] The fourth proviso of subsection (h) added by Public Law 85–606, approved August 8, 1958 (72 Stat. 532), which provided also that the authority would end on June 30, 1964. Public Law 88–335 (78 Stat. 231) extended this date to June 30, 1968. Public Law 90–336 (82 Stat. 175) further extended the date to June 30, 1972.

[12] Public Law 87–390 (75 Stat. 820), approved October 4, 1961, amended subsection 201(i) by adding this proviso after the first proviso in the subsection.

[13] Section 3(c)(1) of Public Law 85–606 (72 Stat. 532), amended subsection (i) by striking out the first proviso of said subsection (which prohibited contributions, State or local, for personnel and administrative expenses, personal equipment, and land) and substituting two new provisos therefor: (1) that no contribution should be made after June 30, 1964, for the purchase of personal equipment for State or local civil defense workers; and (2) that no contribution shall be made for the procurement of land.

trator* after consultation with the Secretary of Defense) in each State, at the time of the determination, bears to the total urban population of the critical target areas of all of the States: *Provided further*, That the amounts authorized to be contributed by the Administrator* to each State for such shelters and protective facilities shall be equally matched by such State from any source it determines is consistent with its laws and, if not matched within a reasonable time, the Administrator* may reallocate same to other States on the formula outlined above: *Provided further*, That the value of any land contributed by any State or political subdivision thereof shall be excluded from the computation of the State share: *Provided further*, That the amounts paid to any State under this subsection shall be expended solely in carrying out the purposes set forth herein and in accordance with State civil defense programs or projects approved by the Administrator:* *Provided further*, That the Administrator* shall make no contribution toward the cost of any program or project for the procurement, construction, or leasing of any facility which (1) is intended for use, in whole or in part, for any purpose other than civil defense and (2) is of such kind that upon completion it will, in his judgment, be capable of producing sufficient revenue to provide reasonable assurance of the retirement or repayment of such cost, except that (subject to the foregoing provisos of this subsection) he may make contribution to any State toward that portion of the cost of the construction, reconstruction, or enlargement of any facility which he shall determine to be directly attributable to the incorporation in such facility of any feature of construction or design not necessary for the principal intended purpose thereof but which is, in his judgment, necessary for the use of such facility for civil defense purposes: [14] *Provided*, That the Administrator* shall report not less often than quarterly to the Congress all contributions made pursuant to this subsection: [15] *Provided further*, That all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of any contribution of Federal funds made by the Administrator* under the provisions of this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be. The Administrator* shall make no contribution of Federal funds without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this proviso, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat.

64 Stat. 1251; 66 Stat. 13; 72 Stat. 532.
72 Stat. 533.

[14] Colon added by Public Law 268, 82nd Congress (66 Stat. 13).

[15] Public Law 268, 82nd Congress, approved March 5, 1952 (66 Stat. 13), amended subsection (1) by adding a proviso which removed certain limitations on matching funds by the Administrator for use in Alaska. This new proviso (relating to Alaska contributions) was struck out by section 3(c)(2) of Public Law 85–606 (72 Stat. 532), which also struck out all the remainder of subsection (1) with the exception of the proviso relating to quarterly reports to the Congress on contributions made by the Administrator. The remainder related to withholding and is substantially the same as section 401(h) of this Act. See note 26, *infra*.

1267, 5 U.S.C. 133z–15),[16] and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276 (c)).[17]

(j) arrange for the sale or disposal of materials and facilities found by the Administrator* to be unnecessary or unsuitable for civil defense purposes in the same manner as provided for excess property in the Federal Property and Administrative Services Act of 1949, as amended, and any funds received as proceeds from the sale or other disposition of such materials and facilities shall be covered into the Treasury as miscellaneous receipts. 64 Stat. 1251.

Relation of Defense Production Act of 1950 to Civil Defense

Sec. 202.—The terms "national defense" or "defense" as used in title II of the Defense Production Act of 1950 shall be construed to include "civil defense" as defined in this Act.[18] 50 USC App. 2282. 64 Stat. 1251.

Mutual Aid Pacts Between Several States and Neighboring Countries

Sec. 203.—The Administrator* shall give all practicable assistance to States in arranging, through the Department of State, mutual civil defense aid between the States and neighboring countries. 50 USC App. 2283. 64 Stat. 1251.

Identity Insignia

Sec. 204.—The Administrator* may prescribe insignia, arm bands, and other distinctive articles (including designs previously covered under Letters Patent which were assigned to the United States and held by the Office of Civilian Defense created by Executive Order Numbered 8757 issued May 20, 1941) which may be manufactured for or possessed or worn by persons engaged in civil defense activities pursuant to rules and regulations for the manufacture, possession, or wearing thereof established by the Administrator.* The manufacture, possession, or wearing of any such insignia, arm band, or other distinctive article otherwise than in accordance with such rules and regulations shall be unlawful and shall subject such person to a fine of not more than $1,000 or imprisonment of not more than one year, or both. 50 USC App. 2284. 64 Stat. 1251.

Contributions for Personnel and Administrative Expenses

Sec. 205.[19]—To further assist in carrying out the purposes of this Act, the Administrator* is authorized to make financial contributions to the States (including interstate civil defense authorities established pursuant to section 201(g) of this Act) for necessary and essential State and local civil defense personnel and administrative expenses, on the basis of approved plans (which shall be consistent with the national plan for civil defense approved by the 50 USC App. 2286. 72 Stat. 533, 534.

[16] The material previously found at 5 U.S.C. 133z–15 may now be found at 5 U.S.C. Appendix.

[17] The last proviso of subsection (1) relating to laborers and mechanics, prevailing wage rates, etc., was added to the subsection by section 3(c)(3) of Public Law 85–606, approved August 8, 1958 (72 Stat. 533).

[18] Title II of the Defense Production Act terminated as of June 30, 1953.

[19] Section 205 in its entirety was added to Title II of the Federal Civil Defense Act of 1950 by section 4 of Public Law 85–606, approved August 8, 1958 (72 Stat. 533–534). The amendment, as enacted, carried no descriptive title. A title has been inserted in this edition of the text.

Administrator*) for the civil defense of the States: *Provided*, That the financial contributions to the States for the purposes of this section shall not exceed one-half of the total cost of such necessary and essential State and local civil defense personnel and administrative expenses.

72 Stat. 533. (a) Plans submitted under this section shall

(1) provide, pursuant to State law, that the plan shall be in effect in all political subdivisions of the State and be mandatory on them, and be administered or supervised by a single State agency;

(2) provide that the State shall share the financial assistance with that provided by the Federal Government under this section from any source determined by it to be consistent with State law;

(3) provide for the development of State and local civil defense operational plans, pursuant to standards approved by the Administrator*;

(4) provide for the employment of a full-time civil defense director, or deputy director, by the State, and for such other methods of administration, including methods relating to the establishment and maintenance of personnel standards on the merit basis (except that the Administrator* shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as the Administrator* shall find to be necessary and proper for the operation of the plan;

(5) provide that the State shall make such reports in such form and content as the Administrator* may require;

(6) make available to duly authorized representatives of the Administrator* and the Comptroller General, books, records, and papers necessary to conduct audits for the purposes of this section.

72 Stat. 534. (b) The Administrator* shall establish such other terms and conditions as he may deem necessary and proper.

72 Stat. 534. (c) In carrying out the provisions of this section, the provisions of section 201(g) and 401(h) of this Act shall apply.

72 Stat. 534. (d) For each fiscal year concerned, the Administrator* shall allocate to each State, in accordance with his regulations and the total sum appropriated hereunder, amounts to be made available to the States for the purposes of this section. Regulations governing allocations to the States shall give due regard to (1) the criticality of the target and support areas with respect to the development of the total civil defense readiness of the Nation, (2) the relative state of development of civil defense readiness of the State, (3) population, and (4) such other factors as the Administrator* shall prescribe: *Provided*, That the Administrator* may reallocate the excess of any allocation not utilized by a State in an approvable plan submitted hereunder: *Provided further*, That amounts paid to any State or political subdivision under this section shall be expended solely for the purposes set forth herein;

72 Stat. 534. (e) In the event a State fails to submit an approvable plan as required by this section within sixty days after the Administrator* notifies the States of the allocations hereunder, the Administrator* may reallocate such funds, or portions thereof, among the other States in such amounts as, in his judgment will best assure the adequate development of the civil defense capability of the Nation.

(f) The Administrator* shall report annually to the Congress all contributions made pursuant to this section. 72 Stat. 534.

(g) As used in this Act, the term "State" shall include interstate civil defense authorities established under section 201(g). 72 Stat. 534.

(h) The provisions of this section terminate on June 30, 1972.[20] 72 Stat. 534. 78 Stat. 231. 82 Stat. 175.

TITLE III—EMERGENCY AUTHORITY

National Emergency for Civil Defense Purposes

Sec. 301.—The provisions of this title shall be operative only during the existence of a state of civil defense emergency (referred to hereinafter in this title as "emergency"). The existence of such emergency may be proclaimed by the President or by concurrent resolution of the Congress if the President in such proclamation, or the Congress in such resolution, finds that an attack upon the United States has occurred or is anticipated and that the national safety therefor requires an invocation of the provisions of this title. Such emergency also shall exist with respect to any designated geographic area or areas of the United States when the President determines that any such attack has been made upon or is anticipated within such area or areas, and directs the Administrator* to proceed pursuant to the provisions of this title with respect to such area or areas. Any such emergency shall terminate upon the proclamation of the termination thereof by the President, or the passage by the Congress of a concurrent resolution terminating such emergency. 50 USC App. 2291. 64 Stat. 1251, 1252. 64 Stat. 1252.

Utilization of Federal Departments and Agencies

Sec. 302.—During the period of such emergency, under such terms and conditions as to donation, compensation, or return as may be prescribed, and solely for civil defense purposes, the President may direct, after taking into consideration the military requirements of the Department of Defense, any Federal department or agency to provide, and such departments and agencies are hereby authorized to provide— 50 USC App. 2292. 64 Stat. 1252.

(a) their personnel, materials, and facilities to the Administrator* for the aid of the States; 64 Stat. 1252.

(b) emergency shelter by construction or otherwise; and 64 Stat. 1252.

(c) on public or private lands, protective and other work essential for the preservation of life and property, for clearing debris and wreckage, and for making emergency repairs to, and temporary replacement of, communications, hospitals, utilities, transportation facilities, or public facilities of States or their political subdivisions damaged or destroyed by attack. 64 Stat. 1252.

Emergency Powers

Sec. 303.—During the period of such emergency, the Administrator* is authorized to— 50 USC App. 2293. 64 Stat. 1252.

(a) exercise the authority contained in section 201(h) without regard to 64 Stat. 1252.

[20] Subsection (h) originally provided that the provisions of the section terminate on June 30, 1964. Public Law 88-335 (78 Stat. 231) extended this date to June 30, 1968. Public Law 90-336 further extended the date to June 30, 1972 (82 Stat. 175).

the limitation of any existing law, including the provisions of the Act of June 30, 1932, as amended (40 U.S.C. 278a), and section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), and section 3734 of the Revised Statutes, as amended (40 U.S.C. 259 and 267),[21] and the Federal Property and Administration Services Act of 1949, as amended;

64 Stat. 1252.

(b) sell, lease, lend, transfer, or deliver materials or perform services for civil defense purposes on such terms and conditions as the Administrator* shall prescribe and without regard to the limitations of existing law: *Provided*, That any funds received from the sale or other disposition of materials or for services shall be deposited to the credit of appropriations currently available and made pursuant to this Act and shall be available for expenditure for the purposes of such appropriations;

64 Stat. 1252.

(c) coordinate and direct, for civil defense purposes, the relief activities of the various departments and agencies of the United States as provided in section 302 hereof;

64 Stat. 1252.

(d) reimburse any State, including any political subdivisions thereof, for the compensation paid to and the transportation, subsistence, and maintenance expenses of any employees while engaged in rendering civil defense aid outside the State and to pay fair and reasonable compensation for the materials of the State government or any political subdivision utilized or consumed outside of the State, including any transportation costs, in accordance with rules and regulations prescribed by the Administrator*. As used in this subsection, the term "employees" shall include full- or part-time paid, volunteer, auxiliary, and civil defense workers subject to the order or control of a State government

64 Stat. 1253.

or any political subdivision thereof, and such employees shall not be deemed by reason of such reimbursement to be employees or appointees of the United States;

64 Stat. 1253.

(e) provide financial assistance for the temporary relief or aid of any civilian injured or in want as the result of any attack; and

64 Stat. 1253.

(f) employ temporarily additional personnel without regard to the civil-service laws and to incur such obligations on behalf of the United States as may be required to meet the civil defense requirements of an attack or of an anticipated attack.

64 Stat. 1253.

During the period of any such emergency, the Administrator* shall transmit quarterly to the Congress a detailed report concerning all action taken pursuant to this section.

Immunity From Suit

50 USC App. 2294.
64 Stat. 1253.

Sec. 304.—The Federal Government shall not be liable for any damage to property or for any death or personal injury occurring directly or indirectly as a result of the exercise or performance of, or failure to exercise or perform, any function or duty, by any Federal agency or employee of the Government, in carrying out the provisions of this title during the period of such emergency. Nothing contained in this section shall affect the right of any person to receive any benefit or compensation to which he might otherwise be entitled

[21] 40 U.S.C. 267 was repealed by Public Law 86-249 approved Sept. 9, 1959 (73 Stat. 485).

under the Federal Employees' Compensation Act, as amended (5 U.S.C. 751),[22] or any other Act of Congress providing for any pension or retirement.

Waiver of Administrative Procedure Act

Sec. 305.—During the period of such emergency, the functions and duties exercised under this Act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of section 3 thereof.

50 USC App. 2295.
64 Stat. 1253.

Compensation for Nongovernmental Property Acquired

Sec. 306.—(a) Except in the case of property acquired pursuant to section 201(h) of this Act in conformity with the provisions of the Federal Property and Administrative Services Act of 1949, as amended, or through judicial proceedings for condemnation, the Administrator* shall promptly determine the amount of the compensation to be paid for any property (other than that of the Federal Government or any department or agency thereof) or the use thereof acquired pursuant to this Act, but each such determination shall be made as of the time it is acquired in accordance with the provisions for just compensation in the fifth amendment to the Constitution of the United States. If the person entitled to receive the amount so determined by the Administrator* as just compensation is unwilling to accept the same as full and complete compensation for such property or the use thereof, he shall be paid promptly 75 per centum of such amount and shall be entitled to recover from the United States, in an action brought in the Court of Claims, or, without regard to whether the amount involved exceeds $10,000, in any district court of the United States, within three years after the date of the Administrator's* award, such additional amount, if any, which, when added to the amount so paid to him, shall be just compensation.

50 USC App. 2296.
64 Stat. 1253.

(b) Whenever the Administrator* determines that any real property acquired by him is no longer needed for the purposes of this Act, he shall, if the original owner desires the return of the property and pays to the Administrator* the fair value thereof, return such property to such owner. In the event the Administrator* and the original owner do not agree as to the fair value of such property, the fair value shall be determined by three appraisers, one of whom shall be chosen by the Administrator,* one by the original owner, and the third by the first two appraisers; the expenses of such determination shall be paid in equal shares by the Government and the original owner.

64 Stat. 1253

64 Stat. 1254.

(c) Whenever the need for the purposes of this Act of any personal property acquired under this Act shall terminate, the Administrator* may dispose of such property on such terms and conditions as he shall deem appropriate, but to the extent feasible and practicable he shall give to the former owner of any property so disposed of an opportunity to reacquire it (1) at its then fair value as determined by the Administrator,* or (2) if it is to be disposed of (otherwise than at a public sale of which he shall give reasonable notice) at less than such value, at the highest price any other person is willing to pay therefor: *Provided*, That this opportunity to reacquire need not be given in the case of fungibles or items having a fair value of less than $1,000.

64 Stat. 1254.

[22] Now codified at 5 U.S.C. 8102.

Termination

50 USC App. 2297. 64 Stat. 1254; 68 Stat. 170; 72 Stat. 356; 76 Stat 111. 80 Stat. 235; 84 Stat. 367.

Sec. 307.—The provisions of this title shall terminate on June 30, 1974,[23] or on such earlier date as may be prescribed by concurrent resolution of the Congress.

TITLE IX—GENERAL PROVISIONS

Administrative Authority

50 USC App. 2253. 64 Stat. 1254.

Sec. 401.—For the purpose of carrying out his powers and duties under this Act, the Administrator* is authorized to—

64 Stat. 1254; 69 Stat. 180; 78 Stat. 494.

(a) employ civilian personnel for duty in the United States, including the District of Clumbia, or elsewhere, subject to the civil-service laws, and to fix the compensation of such personnel in accordance with the Classification Act of 1949, as amended; [24]

64 Stat. 1254.

(b) employ not more than one hundred such part-time or temporary advisory personnel (including not to exceed twenty-five subjects of the United Kingdom and the Dominion of Canada) as are deemed necessary in carrying out the provisions of this Act. Persons holding other offices or positions under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and other part-time or temporary advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed $50 for each day of service, as determined by the Administrator*;

64 Stat. 1254.

(c) utilize the services of Federal agencies and, with the consent of any State or local government, accept and utilize the services of State and local civil agencies; establish and utilize such regional and other offices as may be necessary; utilize such voluntary and uncompensated services by individuals or organizations as may from time to time be needed; and authorize the States to establish and organize such individuals and organizations into units to be known collectively as the United States Civil Defense Corps: *Provided*, That the members of such corps shall not be deemed by reason of such membership to be appointees or employees of the United States;

64 Stat. 1255.

64 Stat. 1255.

(d) notwithstanding any other provisions of law, accept gifts of supplies, equipment, and facilities; and utilize or distribute same for civil defense purposes in accordance with the provisions of this Act;

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[23] Public Law 383, 83d Congress, approved June 3, 1954 (68 Stat. 170), amended section 307 by extending the termination date from June 30, 1954 to June 30, 1958. Public Law 85-514, approved July 11, 1958 (72 Stat. 356), further amended the section by extending the termination date from June 30, 1958 to June 30, 1962. Public Law 87-501, approved June 27, 1962 (76 Stat. 111), again extended the termination date of Title III to June 30, 1966. Public Law 89-483, approved June 30, 1966, extended the termination date to June 30, 1970 (80 Stat. 235). Public Law 91-299, approved June 30, 1970, extended the termination date to June 30, 1974 (84 Stat. 367).

[24] Subsection (a) of section 401 was amended by Public Law 94, 84th Congress, approved June 28, 1955 (69 Stat. 180), which repealed provisions authorizing the Administrator to place twenty-two positions in grades 16, 17, and 18 of the General Schedule established by the Classification Act of 1949. It was further amended by subsection 402(a)(30) of Public Law 88-448, approved August 19, 1964 (78 Stat. 494-495), which repealed a provision with respect to the employment of retired military personnel.

(e) reimburse any Federal agency for any of its expenditures or for compensation of its personnel and utilization or consumption of its materials and facilities under this Act to the extent funds are available; 64 Stat. 1255.

(f) purchase such printing, binding, and blank-book work from public, commercial, or private printing establishments or binderies as he may deem necessary upon orders placed by the Public Printer or upon waivers issued in accordance with section 12 of the Printing Act approved January 12, 1895, as amended; [25] 64 Stat. 1255.

(g) prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act, and, without being relieved of his responsibility therefor, perform any of the powers and duties vested in him through or with the aid of such officials of the Administration* as he may designate; and [25] 64 Stat. 1255.

(h) when, after reasonable notice and opportunity for hearing to the State, or other person, he finds that there is a failure to expend funds in accordance with the regulations, terms, and conditions established under this Act for approved civil defense plans, programs, or projects, notify such State or person that further payments will not be made to the State or person from appropriations under this Act (or from funds otherwise available for the purposes of this Act for any approved plan, program, or project with respect to which there is such failure to comply) until the Administrator* is satisfied that there will no longer be any such failure. Until he is so satisfied, the Administrator* shall either withhold the payment of any financial contribution to such State or person, or limit payments to those programs or projects with respect to which there is substantial compliance with the regulations, terms, and conditions governing plans, programs, or projects hereunder: *Provided*, That person as used in this subsection, means the political subdivision of any State or combination or group thereof; or any interstate civil defense authority established pursuant to subsection 201(g); or any person, corporation, association, or other entity of any nature whatsoever, including but not limited to, instrumentalities of States and political subdivisions.[26] 72 Stat. 534.

Exemption From Certain Prohibitions

Sec. 402.—The authority granted in subsections 401 (b) and (c) shall be exercised in accordance with regulations of the President who may also provide by regulation for the exemption of persons employed or whose services are utilized under the authority of said subsections from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99).[27] 50 USC App. 2254.

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[25] Explanatory Note: Section 5 of Public Law 85-606, approved August 8, 1958 (72 Stat. 534), added a new subsection (h) to section 401. As enacted, the law made no provision for the striking of the word "and" at the end of subsection (f) of said section 401, nor did it make any provision for striking the period at the end of subsection (g) of said section and inserting in lieu thereof a semicolon and the word "and". The text as printed herein corrects this apparent oversight in bill drafting.

[26] Subsection (h) in its entirety was added to section 401 by section 5 of Public Law 85-606, approved August 8, 1958 (72 Stat. 534).

[27] The cited Sections of Title 18 were repealed and supplanted by Sections 203-209 of Title 18. However, exemptions affecting employees of the Executive branch are no longer applicable. Section 190 of the Revised Statutes was repealed by Section 3 of Public Law 87-849, approved October 23, 1962 (76 Stat. 1119).

Security Regulations

50 USC App. 2255.
64 Stat. 1255.

Sec. 403.—(a) The Administrator* shall establish such security requirements and safeguards, including restrictions with respect to access to information and property as he deems necessary. No employee of the Administration* shall be permitted to have access to information or property with respect to which access restrictions have been established under this section, until it shall have been determined that no information is contained in the files of the Federal Bureau of Investigation or any other investigative agency of the Government indicating that such employee is of questionable loyalty or reliability for security purposes, or if any such information is so disclosed, until the Federal Bureau of Investigation shall have conducted a full field investigation concerning such person and a report thereon shall have been evaluated in writing by the Administrator*. No such employee shall occupy any position determined by the Administrator* to be of critical importance from the standpoint of national security until a full field investigation concerning such employee shall have been conducted by the Civil Service Commission and a report thereon shall have been evaluated in writing by the Administrator*. In the event such full field investigation by the Civil Service Commission develops any data reflecting that such applicant for a position of critical importance is of questionable loyalty or reliability for security purposes, or if the Administrator* for any other reason shall deem it to be advisable, such investigation shall be discontinued and a report thereon shall be referred to the Administrator* for his evaluation in writing. Thereafter the Administrator* may refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation by such Bureau. The result of such later investigation by such Bureau shall be furnished to the Administrator* for his action.

64 Stat. 1256;
66 Stat. 13.

(b) Each Federal employee of the Administration*, except the subjects of the United Kingdom and the Dominion of Canada specified in section 401(b) of this Act, shall execute the loyalty oath or appointment affidavits prescribed by the Civil Service Commission. Each person other than a Federal employee who is appointed to serve in a State or local organization for civil defense shall before entering upon his duties, take an oath in writing before a person authorized to administer oaths, which oath shall be substantially as follows:

"*I. _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

"*And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence.*"

After appointment and qualification for office, the director of civil defense of any State, and any subordinate civil defense officer within such State designated by the director in writing, shall be qualified to administer any such oath within such State under such regulations as the director shall prescribe.[28] Any person who shall be found guilty of having falsely taken such oath shall be punished as provided in 18 U.S.C. 1621. 66 Stat. 13.

Transfers to Administration*

Sec. 404.—The functions, property, and personnel of the Federal Civil Defense Administration established by Executive Order Number 10186, issued December 1, 1950, are hereby transferred to the Administration* established by this Act, and the President may transfer to the Administration* such functions, property, and personnel of the National Security Resources Board concerned with civil defense activities as he deems necessary to carry out the purposes of this Act.[29] 50 USC App. 2256. 64 Stat. 1256.

Utilization of Existing Facilities

Sec. 405.—In performing his duties, the Administrator* shall (1) cooperate with the various departments and agencies of the Government; (2) utilize to the maximum extent the existing facilities and resources of the Federal Government, and, with their consent, the facilities and resources of the States and local political subdivisions thereof, and of other organizations and agencies; and (3) refrain from engaging in any form of activity which would duplicate or parallel activity of any other Federal department or agency unless the Administrator*, with the written approval of the President, shall determine that such duplication is necessary to accomplish the purposes of this Act. 50 USC App. 2257. 64 Stat. 1256.

Annual Report to Congress

Sec. 406.—The Administrator* shall annually submit a written report to the President and the Congress covering expenditures, contributions, work, and accomplishments of the Administration*, pursuant to this Act, accompanied by such recommendation as he shall deem appropriate. 50 USC App. 2258. 64 Stat. 1256.

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[28] Subsection (b) of section 403 was amended by Public Law 268, 82d Congress, approved March 5, 1952 (66 Stat. 13), to make it possible for state civil defense directors, or any subordinate state civil defense officer, to administer the required loyalty oath.

[29] Upon the taking effect of the provisions of Reorganization Plan No. 1 of 1958 (72 Stat. 1799–1801; 23 F.R. 4991; 3 CFR, 1954–1958 Comp., p. 447) on July 1, 1958, the records, property, personnel and unexpended balances (available, or to become available, of appropriations, allocations, and other funds) of the Federal Civil Defense Administration became the records, property, personnel, and unexpended balances of the newly created Office of Defense and Civilian Mobilization. The name of the new agency was later changed to the Office of Civil and Defense Mobilization by Public Law 85–763, approved August 26, 1958 (72 Stat. 861). This agency is now named The Office of Emergency Preparedness. (See fn 4.) Section 4 of Executive Order 10952, of July 20, 1961 (26 F.R. 6577, 3 CFR, 1961 Supp., p. 117) transferred, subject to applicable law, to the Secretary of Defense such portion of the property, facilities, and personnel of the Office of Civil and Defense Mobilization engaged in the performance of civil defense responsibilities assigned to the Secretary of Defense as agreed upon by the Secretary and the Director, OCDM, and such portion of funds then available for those purposes as approved by the Director of the Bureau of the Budget. This latter agency is now designated The Office of Management and Budget pursuant to Reorganization Plan No. 2 of 1970 (35 F.R. 7959).

Applicability of Act

50 USC App. 2259. 64 Stat. 1256.

Sec. 407.—The provisions of this Act shall be applicable to the United States, its States, Territories and possessions, and the District of Columbia, and their political subdivisions.

Appropriations and Transfers of Funds

50 USC App. 2260. 64 Stat. 1257; 72 Stat. 534, 535.

Sec. 408.—There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act. Funds made available for the purposes of this Act may be allocated or transferred for any of the purposes of this Act, with the approval of the Bureau of the Budget, to any agency or Government corporation designated to assist in carrying out this Act: *Provided*, That each such allocation or transfer shall be reported in full detail to the Congress within thirty days after such allocation or transfer: *Provided further*, That appropriations for the payment of travel and per diem expenses for students under section 201(e) shall not exceed $300,000 per annum; appropriations for expenditures under the fourth proviso of section 201(h) (donation of radiological instruments, et cetera) shall not exceed $35,000,000 per annum; appropriations for contribution to the States for personal equipment for State and local workers, under section 201(i) shall not exceed $2,000,000 per annum; appropriations for contributions to the States for personnel and administrative expenses under section 205 shall not exceed $25,000,000 per annum.[30]

72 Stat. 534.

72 Stat. 535.

Reconstruction Finance Corporation

50 USC App. 2261. 64 Stat. 1257.

Sec. 409.—To aid in carrying out the purposes of this Act, the Administrator* is authorized to certify to the Reconstruction Finance Corporation as to the necessity under its Civil Defense Program of purchasing securities or making a loan or loans (including participations therein and guarantees thereof) for the purpose of aiding in financing projects for civil defense purposes, and the Reconstruction Finance Corporation upon such certification by the Administrator* is hereby authorized to purchase such securities or to make such loan or loans (including participations therein and guarantees thereof) with maturities not to exceed fifty years and on such terms and conditions as the Corporation may determine except that any such purchases of securities or loans may be made only to the extent that financing is not otherwise available on reasonable terms. The total amount of loans, purchases, participations, and guarantees, made pursuant to this section shall not exceed $250,000,000 outstanding at any one time. The total amount of investments, loans, pur-

[30] The second proviso of section 408, relating to appropriations for the payment of travel and per diem for students, for donations of radiological instruments, etc., for contributions to States for personal equipment for State and local workers, and for contributions to States for personnel and administrative expenses under section 205 of the Federal Civil Defense Act of 1950, as amended, was added by section 6 of Public Law 85-606, approved August 8, 1958 (72 Stat. 534-535).

chases, and commitments authorized by law to be made by the Reconstruction Finance Corporation is hereby increased by such sum.[31]

Atomic Energy Act of 1946

Sec. 410.—Nothing in this Act shall be construed to amend or modify the provisions of the Atomic Energy Act of 1946, as amended. 50 USC App. 2262. 64 Stat. 1257.

Federal Bureau of Investigation

Sec. 411.—Nothing in this Act shall be construed to authorize investigations of espionage, sabotage, or subversive acts by any persons other than personnel of the Federal Bureau of Investigation. 50 USC App. 2263. 64 Stat. 1257.

Separability

Sec. 412.—If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act, and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby. 50 USC App. 2251, n.

Applicability of Reorganization Plan Numbered 1

Sec. 413.—The applicability of Reorganization Plan Numbered 1 of 1958 (23 F.R. 4991) shall extend to any amendment of this Act except as otherwise expressly provided in such amendment.[32] 50 USC App. 2251, n.

[31] All the functions, powers, duties, and authority of the Reconstruction Finance Corporation under section 409 of the Federal Civil Defense Act of 1950, together with those assets, funds, contracts, loans, liabilities, commitments, authorizations, allocations, personnel, and records of the Corporation which the Director of the Bureau of the Budget should determine to be primarily related to, and necessary for, the exercise of such functions, powers, duties, and authority, were transferred to the Secretary of the Treasury by Public Law 163, 83d Congress, approved July 30, 1953 (67 Stat. 231). Transfer became effective on the 60th day after the enactment of the law.

[32] Section 413 and its explanatory heading were added to Title IV of the Federal Civil Defense Act of 1950 by section 7 of Public Law 85-606, approved August 8, 1958 (72 Stat. 735).

PANEL 2

EXECUTIVE ORDER 10952, JULY 20, 1961, AS AMENDED

Assigning Civil Defense Responsibilities to the Secretary of Defense and Others

50 USC App. 2271, Note, 26 F.R. 6577, 3 CFR 1961 Suppl., P. 117, as amended by Executive Order 11051, September 27, 1962, 27 F.R. 9683

DEPARTMENT OF DEFENSE
OFFICE OF CIVIL DEFENSE

PANEL 2 (Continued)

EXECUTIVE ORDER 10952, AS AMENDED

Assigning Civil Defense Responsibilities to the Secretary of Defense and Others

WHEREAS the possibility of enemy attack upon the United States must be taken into account in developing our continental defense program; and

WHEREAS following a thorough review and consideration of our military and nonmilitary defense activities, I have concluded that adequate protection of the civilian population requires a substantial strengthening of the Nation's civil defense capability; and

WHEREAS the rapid acceleration of civil defense activities can be accomplished most effectively and efficiently through performance by the regular departments and agencies of government of those civil defense functions related to their established roles and capabilities; and

WHEREAS I have concluded that the undertaking of greatly accelerated civil defense activities, including the initiation of a substantial shelter program, requires new organizational arrangements:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander-in-Chief of the Armed Forces of the United States, including the authority contained in the Federal Civil Defense Act of 1950, as amended, and other authorities of law vested in me pursuant to Reorganization Plan No. 1 of 1958, it is hereby ordered as follows:

Section 1—Delegation of Authority to the Secretary of Defense

(a) Except as hereinafter otherwise provided and as reserved to the Office of Emergency Preparedness[1] in Section 2 of this order, the Secretary of Defense is delegated all functions (including as used in this order, powers, duties, and authority) contained in the Federal Civil Defense Act of 1950, as amended (hereinafter referred to as the Act), vested in me pursuant to Reorganization Plan No. 1 of 1958 (72 Stat. 1799), subject to the direction and control of the President. Such functions to be performed by the Secretary of Defense working as necessary or appropriate through other agencies by contractual or other agreements, as well as with State and local leaders, shall include but not be limited to the development and execution of:

(i) a fallout shelter program;

(ii) a chemical, biological, and radiological warfare defense program;

(iii) all steps necessary to warn or alert Federal military and civilian authorities, State officials, and the civilian population;

(iv) all functions pertaining to communications, including a warning network, reporting on monitoring, instructions to shelters and communications between authorities;

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[1] *Explanatory Note:* Section 601(14) of Executive Order 11051 of September 27, 1962 (27 F.R. 9683) amended Executive Order 10952 of July 20, 1961, by amending each reference to the Office of Civil and Defense Mobilization and to the Director of the Office of Civil and Defense Mobilization to refer to the Office of Emergency Planning and to the Director of the Office of Emergency Planning respectively. Section 402 of Public Law 90-608 (82 Stat 1194) again changed the name of the agency to that of the Office of Emergency Preparedness and amended any references thereto in laws accordingly. While no Executive order has been issued amending existing Executive orders, the editors of this text have nevertheless made the change.

(v) emergency assistance to State and local governments in a postattack period, including water, debris, fire, health, traffic police, and evacuation capabilities;

(vi) protection and emergency operational capability of State and local government agencies in keeping with plans for the continuity of government; and

(vii) programs for making financial contributions to the States (including personnel and administrative expenses) for civil defense purposes.

(b) In addition to the foregoing, the Secretary shall:

(i) develop plans and operate systems to undertake a nationwide postattack assessment of the nature and extent of the damage resulting from enemy attack and the surviving resources, including systems to monitor and report specific hazards resulting from the detonation or use of special weapons; and

(ii) make necessary arrangements for the donation of Federal surplus property in accordance with section 203(j)(4) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(j)(4)), subject to applicable limitations.

Section 2—Civil Defense Responsibilities of the Office of Emergency Preparedness [1]

The Director of the Office of Emergency Preparedness [1] shall

(a) Advise and assist the President in:

(i) determining policy for, planning, directing and coordinating, including the obtaining of information from all departments and agencies, the total civil defense program;

(ii) reviewing and coordinating the civil defense activities of the Federal departments and agencies with each other and with the activities of the States and neighboring countries in accordance with section 201(b) of the Act;

(iii) determining the appropriate civil defense roles of Federal departments and agencies, and enlisting State, local, and private participation, mobilizing national support, evaluating progress of programs, and preparing reports to the Congress relating to civil defense matters;

(iv) helping and encouraging the States to negotiate and enter into interstate civil defense compacts and enact reciprocal civil defense legislation in accordance with section 201(g) of the Act; and

(v) providing all practical assistance to States in arranging, through the Department of State, mutual civil defense aid between the States and neighboring countries in accordance with section 203 of the Act;

(b) Develop plans, conduct programs, and coordinate preparations for the continuity of Federal governmental operations in the event of attack; and

(c) Develop plans, conduct programs, and coordinate preparations for the continuity of State and local governments in the event of attack, which plans, programs and preparations shall be designed to assure the continued effective functioning of civilian political authority under any emergency condition.

Section 3—Excluded Functions

The following functions of the President under the provisions of the Act are excluded from delegations to the Secretary of Defense made by this order and are reserved to the President:

(a) Those under subsections (h) and (i) of section 201 of the Act (50 U.S.C. App. 2281(h), (i)) to the extent that they pertain to medical stockpiles and food stockpiles.

(b) Those under the following provision of the Act: Sections 102(a), 201(b), and 402 and Title III.

Section 4—Transfer of Property, Facilities, Personnel, and Funds

Subject to applicable law, there shall be hereby transferred to the Secretary of Defense such portion of the property, facilities, and personnel of

the Office of Emergency Preparedness [1] engaged in the performance of the civil defense responsibilities herein assigned to the Secretary of Defense as shall be agreed upon by the Secretary and the Director of the Office of Emergency Preparedness [1] together with such portions of the funds currently available for those purposes as shall be approved by the Director of the Bureau of the Budget.[2]

Section 5—Reports

The Secretary of Defense shall annually submit to the President a written report covering expenditures, contributions, activities, and accomplishments of the Secretary of Defense pursuant to this order.

Section 6—Redelegation

The Secretary of Defense is hereby authorized to redelegate within the Department of Defense the functions hereinabove delegated to him.

Section 7—Amendment

The Director of the Office of Emergency Preparedness [1] is hereby relieved of responsibilities under the Act except as otherwise provided herein, and the provisions of Executive Order No. 10773,[3] as amended, are amended accordingly.

Section 8—Prior Actions

(a) Except to the extent that they may be inconsistent with the provisions of this order, and except as particular Executive orders or other orders are amended, modified, or superseded by the provisions of this order, all determinations, authorizations, regulations, rulings, certificates, orders (including emergency preparedness orders), directives, contracts, agreements, and other actions made, issued, or entered into with respect to any function affected by this order, and not revoked, superseded, or otherwise made inapplicable before the date of this order, shall continue in full force and effect until amended, modified, or terminated by the President or other appropriate authority; but, to the extent necessary to conform to the provisions of this order, any of the foregoing shall be deemed to refer to the Secretary of Defense or other appropriate officer or agency instead of, or in addition to, the Office of Emergency Preparedness [1] or the Director thereof.

(b) This order shall not terminate any delegation or assignment of any substantive (program) function to any delegate agency made by any emergency preparedness order heretofore issued by the Director of the Office of Emergency Preparedness [1] (26 F.R. 651–662; 835–840) (which emergency preparedness order shall remain in effect until amended or revoked by or at the specific direction of the President).[4] No such emergency preparedness order shall limit the delegation or assignment of any substantive (program) function to the Secretary of Defense made by the foregoing sections of this order.

Section 9—Effective Date

This order shall become effective on the first day of August, 1961.

JOHN F. KENNEDY

THE WHITE HOUSE,
July 20, 1961

[2] This office has now been designated the Office of Management and Budget pursuant to Reorganization Plan No. 2 of 1970 (35 F.R. 7959).

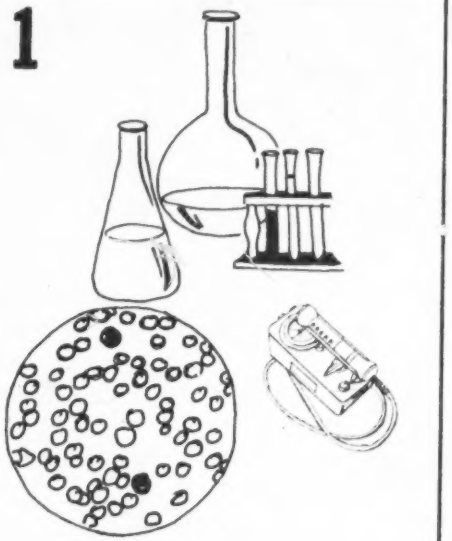
[3] Executive Order 10773 was superseded and revoked by Executive Order 11051 of September 27, 1962 (27 F.R. 9683). See Appendix 5 hereof.

[4] These orders were subsequently revoked, and after certain intermediate orders, the substance has been codified in Executive Order 11490 of October 28, 1969. See Appendix 7 hereof.

PANEL 3

RESPONSIBILITIES DELEGATED TO THE SECRETARY OF DEFENSE

1



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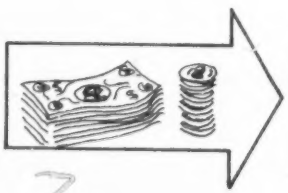
3

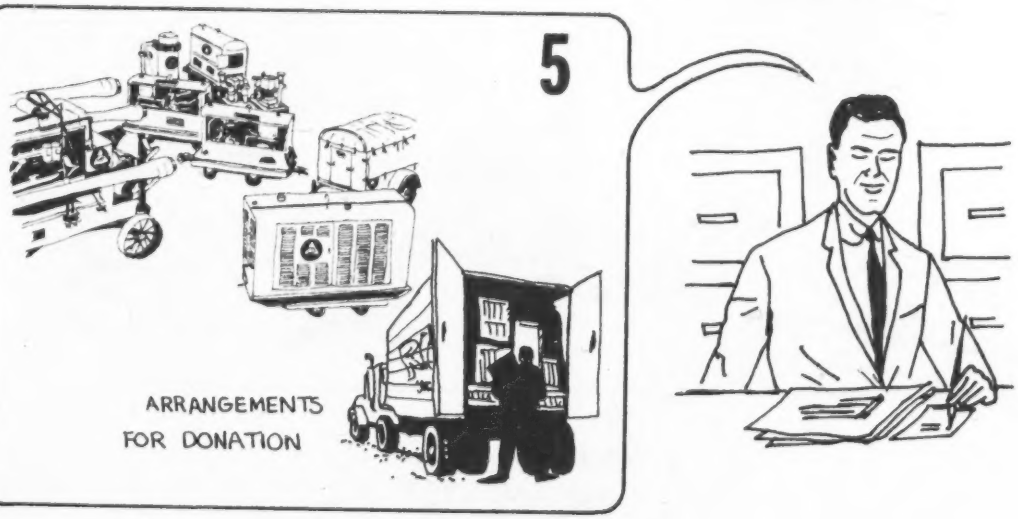
FEDERAL GOVERNMENT



STATES

4

5



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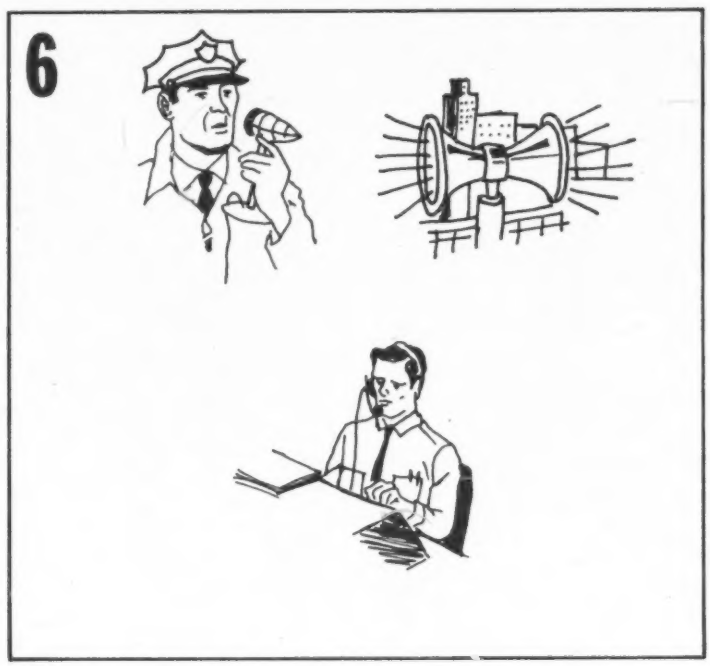
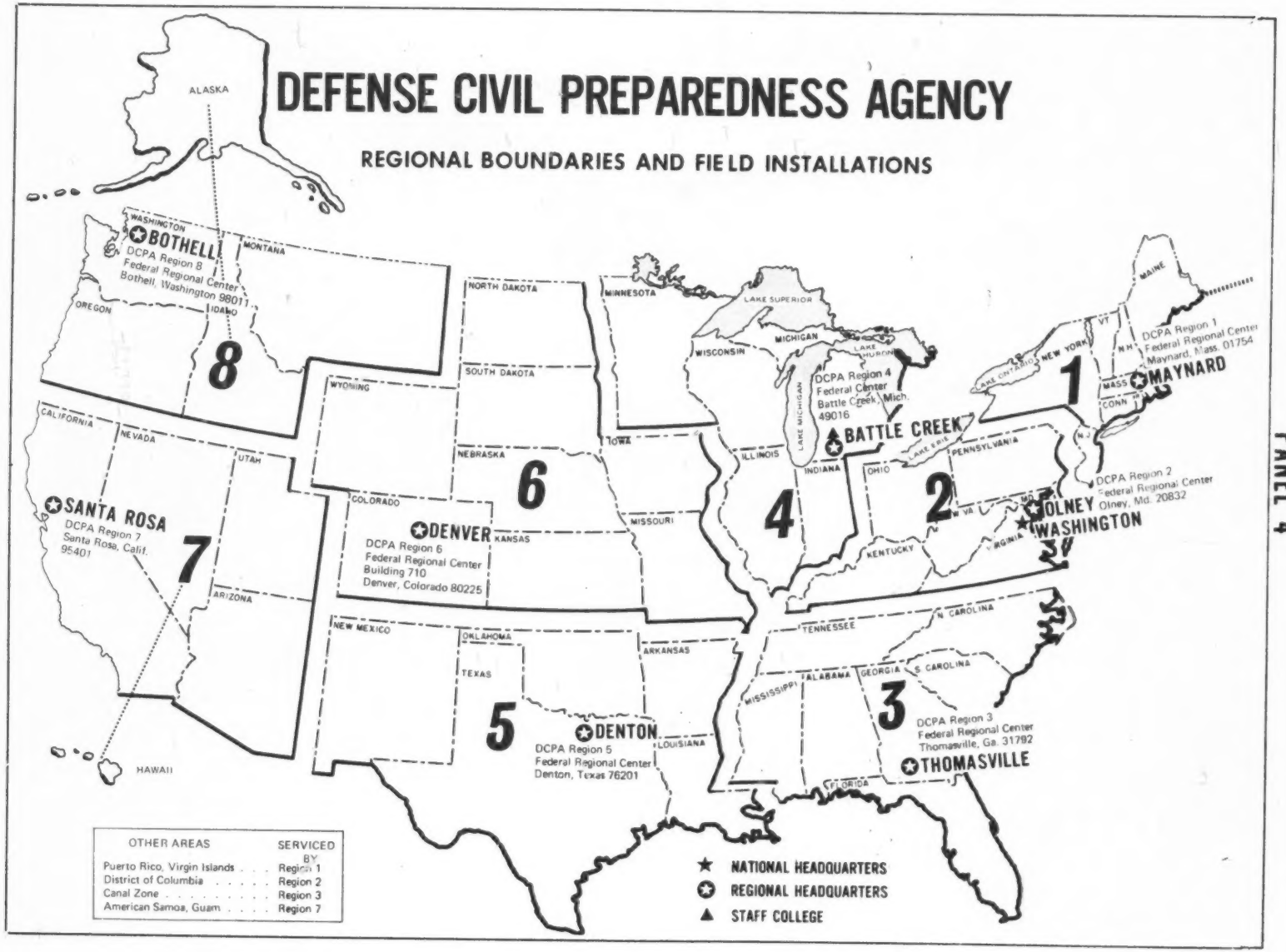
PANEL 3 (Continued)




DEFENSE CIVIL PREPAREDNESS AGENCY
REGIONAL BOUNDARIES AND FIELD INSTALLATIONS
ALASKA
HAWAII
WASHINGTON
BOTHELL
DCPA Region 8
Federal Regional Center
Bothell, Washington 98011
OREGON
IDAHO
MONTANA
8
NORTH DAKOTA
SOUTH DAKOTA
WYOMING
NEBRASKA
6
DENVER
DCPA Region 6
Federal Regional Center
Building 710
Denver, Colorado 80225
COLORADO
KANSAS
MISSOURI
IOWA
MINNESOTA
CALIFORNIA
NEVADA
UTAH
ARIZONA
7
SANTA ROSA
DCPA Region 7
Santa Rosa, Calif.
95401
NEW MEXICO
OKLAHOMA
TEXAS
5
DENTON
DCPA Region 5
Federal Regional Center
Denton, Texas 76201
ARKANSAS
LOUISIANA
WISCONSIN
MICHIGAN
LAKE SUPERIOR
LAKE MICHIGAN
LAKE HURON
4
DCPA Region 4
Federal Center
Battle Creek, Mich.
49016
BATTLE CREEK
ILLINOIS
INDIANA
OHIO
LAKE ERIE
PENNSYLVANIA
KENTUCKY
TENNESSEE
2
DCPA Region 2
Federal Regional Center
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OLNEY
WASHINGTON
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VIRGINIA
MD
N. CAROLINA
S. CAROLINA
GEORGIA
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3
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THOMASVILLE
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NEW YORK
1
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Federal Regional Center
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MAINE
VT
N.H.
MASS
CONN
R.I.
N.J.
OTHER AREAS SERVICED BY
Puerto Rico, Virgin Islands . . . Region 1
District of Columbia . . . . . Region 2
Canal Zone . . . . . Region 3
American Samoa, Guam . . . . Region 7
★ NATIONAL HEADQUARTERS
✪ REGIONAL HEADQUARTERS
▲ STAFF COLLEGE

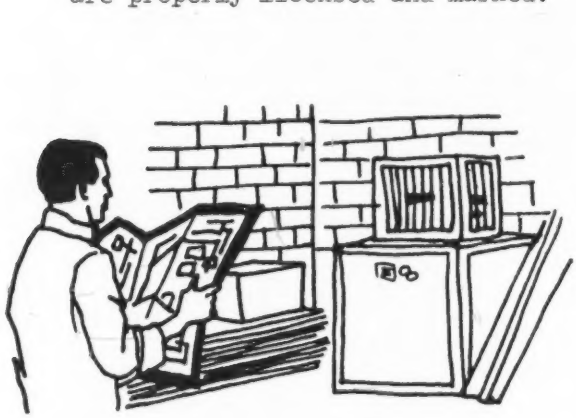
PANEL 4

PANEL 5

A DAY IN THE LIFE OF A CIVIL DEFENSE COORDINATOR

8:30 A.M. -- Arrives at office; looks over mail and latest information bulletins from the State Civil Defense Office and the Office of Civil Defense.

9:00 A.M. -- Inspects a new building going up in a shopping center in which a community shelter is to be included. Takes a quick look at the condition of some adjacent community shelters. Because he is responsible for all the community shelters in his area, he must ensure that they are properly licensed and marked.



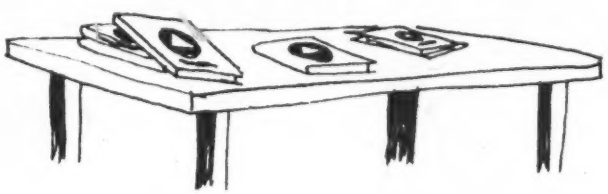
10:00 A.M. -- Meets with a group of people from the shopping center who are interested in participating in the civil defense activities of the city. One looks like a good possibility for shelter manager of the new shelter. Perhaps the others would be good for the staff of that shelter, such as handling the radiological monitoring duties.

PANEL 5 (Continued)

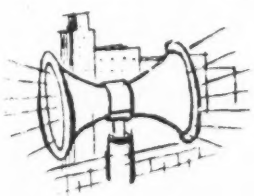
10:30 A.M. -- Meeting a success. Good new personnel are recruited and now must be trained. Must make arrangements to send them to OCD Staff College, or to civil defense extension courses offered by the State University, or to appropriate state or local training programs.

11:00 A.M. -- Paperwork -- Works on the plans and operating procedures for the new Emergency Operating Center (EOC) that will be built within the next few months with financial assistance from the Federal Government. The plans and operating procedures must be ready by the completion of construction, so that tests of its operational use can start immediately. Checks federal and state guidance; the plans and operating procedures of the EOC must be integrated with those already devised for the city's Emergency Operations Plan.

12:00 Noon -- Lunches with local community and industry leaders. Their support is vitally needed to continue the public information program, to get civil defense education in the public school system, and to gain funds from the local government for the new EOC. Some of the company heads have expressed willingness to distribute Office of Civil Defense pamphlets on the need for civil defense to their employees and perhaps a definite commitment can be gained over lunch. In addition, the progress of the emergency operations and shelter plans at some of the local industrial plants can be checked.



2:00 P.M. -- Supervises the inspection and testing of a warning point that may be malfunctioning. These must be kept in good working order at all times.



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PANEL 5 (Continued)

2:30 P.M. -- Meets with local civil defense staff. Covers the following points:

a. Current operations -- how will the new EOC affect them?

b. Test of the disaster plans to be held in two weeks -- any changes?

c. Emergency support programs -- discussed additional possibilities for local training and extension of current communications network and the purchase of some mobile radio sets.

d. Emergency readiness planning -- check on the progress of the plans of city departments for augmenting their staffs in times of emergency by using organizations in the private sector.

3:30 P.M. -- Speaks to the town council on the need for more funds for civil defense.

4:30 P.M. -- Works on the budget for the next fiscal year based on the likely funds that will be allotted by the council and the funds to be requested from the Federal Government.

Evaluates the feasibility of the planning and program recommendations made at the staff meeting, such as trying to secure the required mobile radio sets through the Federal Government's Excess or Surplus Property Programs.

CIVIL DEFENSE, U. S. A.

A Programmed Orientation to Civil Defense

TEST

on

UNIT 5 - GOVERNMENTAL RESPONSIBILITIES FOR CIVIL DEFENSE

INSTRUCTIONS:

Do not look at this test until you have completed Unit 5. When you have completed Unit 5, take this test. Select the one answer for each question which in your opinion is the best answer. Mark the answer on the postcard answer form provided, using a soft lead pencil. Make a heavy mark completely covering the space between the lines of the answer you select. For example, if your answer for the first question were "a," you would mark the answer card as follows:

Please note that your Student Number is on the envelope containing your course materials. BE SURE to enter this Student Number and this Unit Number in the spaces provided on the answer card. When you have marked your answers on the card, mail it to Staff College.

1. Which of the following is provided for in the Federal Civil Defense Act of 1950?

   a. A system of civil defense with responsibility vested separately in the Federal Government and the states and their political subdivisions.

   b. A system of civil defense with responsibility vested jointly in the Federal Government and the states and their political subdivisions.

   c. A system of procedures for the operational implementation of civil defense by the Federal Government.

   d. A system of procedures for financial contributions to schools teaching civil defense subjects.

2. Three basic responsibilities for civil defense have been delegated to all federal agencies by Executive Order. Select the answer that is NOT one of these three basic responsibilities.

   a. Make available their personnel to the states for training purposes.

   b. Train their personnel in personal and family survival.

   c. Develop civil defense plans for use of their personnel, materials, and services in aid of the states during an emergency.

   d. Perform civil defense functions assigned to them in emergency preparedness Executive Orders.

3. How many Regional Offices are there in the United States?

   a. 5 e. 8

   b. 7 d. 10

4. Responsibility for civil defense in the state rests with the:

   a. Governor. c. Civil Defense Counsel.

   b. Civil Defense Coordinator. d. Legislature.

5. Civil defense is:

   a. a special organization set up to protect people.

   b. the existing government.

   c. a small branch of government.

   d. an organization of volunteers.

6. Which of the following is NOT a function and responsibility of the local Civil Defense Coordinator?

   a. Operational control of all civil defense forces in a civil defense disaster.

   b. Recruitment and training of shelter managers, staffs, radiological personnel, and volunteers.

   c. Operational planning and testing for disaster.

   d. Public civil defense education.

7. Which of the following is NOT an essential element required for effective civil defense preparedness?

   a. Existing government.

   b. Training for emergency support.

   c. Cooperation of all communities.

   d. An organization of volunteers.

8. The major role of the Federal Government in civil defense is that of:

   a. directing all civil defense activities.

   b. providing the money and equipment required.

   c. providing coordination, guidance, and assistance as necessary.

   d. providing the training necessary for all volunteers.

9. All governmental civil defense efforts will fail unless:

   a. Congress provides a larger budget.

   b. more people volunteer for civil defense duty.

   c. people are prepared and know what to do in the event of an emergency.

   d. more and better shelters are provided.

10. The government which is chiefly responsible for rural civil defense is the _____government.

   a. state.

   b. federal.

   c. county.

   d. city.

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